

LEGAL NOTICE NO. 130

REPUBLIC OF TRINIDAD AND TOBAGO

THE CRIMINAL PROCEDURE ACT, CHAP. 12:02

RULES

MADE BY THE RULES COMMITTEE UNDER SECTION 78(A) OF THE SUPREME COURT OF JUDICATURE ACT, CHAP. 4:01; SECTION 41 OF THE JURY ACT, CHAP. 6:53; SECTION 14(C) OF THE EVIDENCE ACT, CHAP. 7:02; SECTION 16B OF THE INDICTABLE OFFENCES (PRELIMINARY ENQUIRY) ACT, CHAP. 12:01; SECTION 77(1) OF THE CRIMINAL PROCEDURE ACT, CHAP. 12:02 AND SUBJECT TO NEGATIVE RESOLUTION OF PARLIAMENT

THE CRIMINAL PROCEDURE (AMENDMENT) RULES, 2019

1. Citation and Commencement

1. These Rules may be cited as the Criminal Procedure (Amendment) Rules, 2019.

2. Interpretation

2. In these Rules, “the Rules” means the Criminal Procedure Rules, 2016. L.N. No. 55 of 2016

3. Rule 2A amended

3. The Rules are amended by revoking rule 2A and substituting the following rule:

“Powers, authority and jurisdiction of Masters

2A. (1) Subject to the provisions of subrule (2), a Master shall have power to transact all such business and exercise all such authority and jurisdiction as may be transacted or exercised by a Judge in respect of all criminal matters, including—

- (a) applications for bail under the Bail Act (Chap. 4:60);
- (b) applications for exemption from Jury service under the Jury Act (Chap. 6:53);
- (c) hearing and determination of summary matters as directed by the Chief Justice; and
- (d) the conduct of case management conferences on the direction of the Judge to whom the case is assigned.

(2) A Master shall not exercise any authority or jurisdiction in respect of the following:

- (a) trials of indictable matters;
- (b) proceedings for the grant of an injunction or other order under section 23(5) of the Supreme Court of Judicature Act, (Chap. 4:01);
- (c) applications for judicial review or an application for a writ of habeas corpus;
- (d) application for an order of committal in civil proceedings;
- (e) appeals from Registrars;
- (f) applications under section 34 of the Supreme Court of Judicature Act, (Chap. 4:01) for leave to institute legal proceedings;
- (g) such business, authority and jurisdiction as the Chief Justice may from time to time direct to be transacted or exercised only by a Judge; and
- (h) proceedings in respect of which jurisdiction is given by any enactment specifically to a Judge and in which the decision of the Judge is final.”.

4. Rule 10 amended

4. Rule 10.2(2) is amended in paragraph (g) by inserting after the word “case” the words “including any issues of admissibility of evidence,”.

Dated this 22nd day of July, 2019.

I. ARCHIE
Chief Justice

C. PEMBERTON
Justice of Appeal

C. B. ANTOINE
Puisne Judge

F. AL-RAWI
Attorney General

A. FITZPATRICK s.c.
Attorney-at-law

S. INDARSINGH
Attorney-at-law

N. BANSEE-SOOKHAI
Registrar