



TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

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SUPPLEMENT TO THIS ISSUE

THE DOCUMENT detailed hereunder has been issued and is published as a Supplement to this issue of the *Trinidad and Tobago Gazette: Legal Supplement Part B*—

Public Health [2019 Novel Coronavirus (2019-nCoV)] (No. 30) Regulations, 2020—(Legal Notice No. 345 of 2020).

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APPOINTMENT OF MEMBER OF THE STATUTORY AUTHORITIES APPEAL BOARD

IT IS HEREBY NOTIFIED for general information that Her Excellency the President, in exercise of the power vested in her by section 9(4) of the Statutory Authorities Act, Chap. 24:01, after consultation with the Prime Minister and the Leader of the Opposition, has appointed MR. DALKEITH ALI, a member of the Statutory Authorities Appeal Board, for a period of three (3) years, with effect from 20th October, 2020.

C. JACKMAN-WALDRON
*Secretary to Her Excellency
the President*

20th October, 2020.

1342

LICENSING SESSIONS

SANGRE GRANDE

APPLICATIONS for the Licensing Committee's Certificates for New Licences in the Licensing District of North-Eastern Counties (St. Andrew/St. David), under the provisions of the Liquor Licences Act, Chap. 84:10, to be considered at a Licensing Session which will be held at the Sangre Grande Magistrate's Court on FRIDAY THE 6TH DAY OF NOVEMBER, 2020 at 1.30 o'clock in the afternoon.

<i>Name of Applicant</i>	<i>Abode of Applicant</i>	<i>Premises where Situate</i>	<i>Term of Licence</i>
Spirit Grocer's			
Arshan Maraj	1½ Mile Mark, Cunapo Southern Road, Sangre Grande	1½ Mile Mark, Cunapo Southern Road, Marajh Hill Sangre Grande	From 1st December, 2020 to 31st March, 2021
Alayna Hannah Philip ...	174, Jacob Hill, Wallerfield Sangre Grande	Lot No. A4, Toco Main Road Sangre Grande	From 1st December, 2020 to 31st March, 2021

Dated this 8th day of October, 2020 at the Sangre Grande Magistrate's Court.

*Chairperson, Licensing Committee
North-Eastern Counties*

REPUBLIC OF TRINIDAD AND TOBAGO**PRACTICE DIRECTION****COURT OPERATIONS
COVID-19 PANDEMIC DIRECTIONS
WITH EFFECT FROM OCTOBER 26 2020
NO. 8**

This Practice Direction is issued pursuant to Part 4 of the Civil Proceedings Rules 1998 (as amended), Part 20 of the Criminal Procedure Rules, Part 4 of the Family Proceedings Rules and Part 22 of the Children Court Rules and is applicable to the entire Judiciary of Trinidad and Tobago which includes the Supreme Court and all Summary Courts.

The objective of this Practice Direction is to provide for adequate and appropriate measures with effect from October 26, 2020 at the Judiciary of Trinidad and Tobago to, *inter alia* –

- (a) Ensure continued access to justice;
- (b) Promote efficiency in case flow management and court operations generally;
- (c) Safeguard the health and safety of all stakeholders of the Court, including but not limited to Judges, Masters, District Judges, judicial officers, court staff, attorneys-at-law and members of the public;
- (d) Facilitate the use of electronic alternatives to in-person activities at the Court by internal and external persons;
- (e) Ensure that appropriate administrative arrangements are made for all hearings; and
- (f) The payment of fines and the scheduling of hearings arising out of Fixed Penalty Notices issued under the Public Health [2019 Novel Coronavirus (2019-nCoV)] prior to November 30, 2020.

having regard to:

- (a) the Public Health regulations in place from time to time;
- (b) the Public Health policies in place;
- (c) the advent of community spread of COVID-19 within the population;
- (d) the inherent risk to court personnel and members of the public arising from requiring persons to access court buildings physically at this time; and
- (e) recent developments which have required court buildings to be closed and staff to be quarantined.

PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

In managing cases, Judges, judicial officers and attorneys-at-law are asked to be reasonable in their demands and expectations and to take into account the challenges posed to the Judiciary as an organisation and to the country at large by the existence of a deadly global pandemic; and to be considerate of the complexities of managing in such a pandemic and the effect of individual requests, demands and expectations on the wellbeing of the rest of the Judiciary and the national community.

Accordingly, the following measures shall take effect:

EFFECTIVE DATES

This Practice Direction supersedes the Practice Direction published in Trinidad and Tobago Gazette Vol. 59 No. 179 dated October 18, 2020 titled “Court Operations Covid-19 Pandemic Directions with effect from October 19, 2020 No. 7” and shall take effect on October 26, 2020 and continue until further notice or otherwise superseded (this period).

HEARINGS TO BE CONDUCTED BY ELECTRONIC MEANS

1. The general rule is that during this period no in-person hearings shall be conducted except as otherwise provided for by these directions and all Judges and judicial officers shall conduct hearings and/or sittings of the Supreme Court and Summary Courts by electronic means only.
2. All jury trials are suspended during this period.
3. Prisoners shall not be required to attend a court building physically during this period.
4. Children shall not be required to attend a court building physically during this period unless directed by the Court.
5. A child, a parent, guardian, or person with responsibility for a child, may contact the appropriate court office and may be required to attend a court building physically by appointment.

PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

TAKING OF VIVA VOCE EVIDENCE IN-PERSON

6. In managing cases and trials, Judges and judicial officers may direct a witness to give evidence from a specific location and by specific means.
7. Judges and judicial officers may direct that a witness may give evidence from the Court's Virtual Access Customer Centres or from a court building.
8. Viva voce evidence may only be taken in person at a court building in exceptional circumstances where in balancing the interests of justice and the health and safety of all concerned, the court deems it absolutely necessary to require the physical presence of the witness. In particular the following may constitute exceptional circumstances:
 - a. Where hard copy documents or physical exhibits must be tendered in evidence by a witness and there is no agreement between the parties as to the tendering of same electronically;
 - b. Where identification is a material issue in dispute and the particular witness is expected to be given leave to do an in-court dock identification; or
 - c. Where the witness has no available means to appear electronically and is unable to be accommodated at one of the Judiciary's Virtual Access Customer Centres.
9. Any witness required to give viva voce evidence in person shall be heard at pre-scheduled times, save and except for urgent matters that may arise. The court shall schedule times for in person viva voce hearings to ensure that there is no congregating of persons and will provide persons with the scheduled time for their appearance.
10. All other parties to a matter where a witness is required to give viva voce evidence in person need not be required to appear in person or in the same room or at the same location.
11. Where any witness is required to give viva voce evidence in person, the Judge or judicial officer must consult with the Registrar of the Supreme Court or the Magistracy Registrar and Clerk of the Court as the case may be and the Court Manager of the relevant location, **before scheduling** a hearing to ensure that there is adequate and appropriate space available to allow for appropriate social distancing in keeping with the room capacity standards set by the Judiciary and to maintain national health and safety requirements.
12. Judges, judicial officers, attorneys at law and the public are reminded that administrative control over:
 - a. All High Court buildings is exercised by the Registrars and the Court Managers on behalf of the Chief Justice; and

PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

- b. All District Court buildings is exercised by the Magistracy Registrars and the Court Managers on behalf of the Chief Justice, and entry may be refused in the interest of safety of all Court users.
13. All Judges and judicial officers through their support staff, must provide the Registrar of the Supreme Court or the Magistracy Registrar and Clerk of the Court and the Court Managers of the relevant location, with the names of and schedule of appearances for any person required to be in attendance at a viva voce hearing, at least 3 working days in advance of the viva voce hearing. Failure to provide adequate notice may result in persons being denied entry to the Virtual Access Customer Centres or a court building.
14. Where any witness is required to give viva voce evidence in person, at least 15 minutes shall be scheduled between each witness in the same matter and at least 20 minutes shall be scheduled between matters, bearing in mind the need for proper sanitization of rooms and equipment between witnesses.
15. The need for the presence of any member of staff in the court building for an in-person viva voce hearing will be determined by the Registrar of the Supreme Court jointly with the Court Managers and in the case of a Summary Court jointly by the Magistracy Registrar and Clerk of the Court and the Court Managers.
16. Witnesses waiting to give evidence must remain seated in the designated area until they are required in the courtroom. Once a witness is relieved by the Court, the witness must leave the court location immediately.
17. Witnesses are required to wear a mask during the course of giving evidence unless asked by the Judge or judicial officer to remove it for all or part of their evidence.
18. Each witness is required to comply with the sanitization policies of the court.

FILING OF DOCUMENTS (SUPREME COURT)

19. There shall be no manual filings at any court office and all filings shall be conducted by electronic means only.
20. A person who wishes to file an audio and or video exhibit electronically may contact the Registrar of the Supreme Court.

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PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

21. Attorneys-at-Law, members of the Trinidad and Tobago Police Service and self-represented persons must file documents electronically. Electronic filing is by way of the Judiciary's e-filing platform <https://eservices.ttlawcourts.org/filing>.
22. Electronic filing kiosks are available at the following locations for self-represented persons only who have no other means to file electronically:
- a. The Hall of Justice;
 - b. Supreme Court, San Fernando;
 - c. Supreme Court, Tobago;
 - d. Children Court (North Building);
 - e. Children Court (South Building);
 - f. Family Court (North); and
 - g. Family Court (Tobago).

Access to these kiosks are for the sole use of self-represented members of the public who are not attorneys-at-law.

23. Manual filing at any court office is limited to exceptional circumstances as determined and approved by the Registrar of the Supreme Court.
24. An attorney-at-law or member of the public who wishes to obtain an **Office Copy** may make the request and schedule an appointment by emailing the request to:

COURT OFFICE	EMAIL ADDRESS
Supreme Court Hall of Justice – Office Copies	offcopypos@ttlawcourts.org
San Fernando Supreme Court Sub-Registry – Office Copies	offcopyso@ttlawcourts.org
Tobago Supreme Court Sub-registry – office copies	offcopytgo@ttlawcourts.org
Family Court North court office	fcn.response@ttlawcourts.org .
Family Court Tobago court office	fmt.response@ttlawcourts.org .
Children Court North court office	ccn.co@ttlawcourts.org .
Children Court South court office	ccs.co@ttlawcourts.org .
Children Court Tobago court office	cct.co@ttlawcourts.org .

PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

25. An attorney-at-law or member of the public who wishes to conduct any other business in person may make an enquiry or request an appointment by telephone or by emailing the request to the relevant court location. Details of the relevant email addresses and telephone numbers are set out in the Judiciary's E-services Court Directory. Email address are as follows:

COURT OFFICE	EMAIL ADDRESS
Supreme Court Hall of Justice Court of Appeal court office	HOJCOA.Response@tlawcourts.org .
Supreme Court Hall of Justice Civil court office	HOJCV.Response@tlawcourts.org .
Supreme Court Hall of Justice Criminal court office	HOJCR.Response@tlawcourts.org .
San Fernando Supreme Court Sub-Registry	SCSFDO.Response@tlawcourts.org .
Tobago Supreme Court Sub-registry	HOJTGO.Response@tlawcourts.org .
Family Court North court office	fcn.response@tlawcourts.org .
Family Court Tobago court office	fct.response@tlawcourts.org .
Children Court North court office	ccn.co@tlawcourts.org .
Children Court South court office	ccs.co@tlawcourts.org .
Children Court Tobago court office	cct.co@tlawcourts.org .

FILING OF DOCUMENTS (SUMMARY COURT DOCUMENTS)

26. There shall be no manual filings at any court office and all filings shall be conducted by electronic means only.
27. A person who wishes to file an audio and or video exhibit electronically may contact the Magistracy Registrar and Clerk of the Court.
28. Attorneys-at-Law, members of the Trinidad and Tobago Police Service, and members of the public must file documents electronically. Electronic filing is by way of the Judiciary's e-filing platform <https://eservices.tlawcourts.org/filing>.

PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

29. An attorney-at-law, member of the Trinidad and Tobago Police Service or member of the public who wishes to conduct any other business in person at any **District Criminal and Traffic Court court office** may make an enquiry or request an appointment by telephone or by emailing the request to the relevant court location. Details of the relevant email addresses and telephone numbers are set out in the Judiciary's E-services Court Directory. Email address are as follows:

- a. mrcc.portofspain@ttlawcourts.org;
- b. mrcc.tunapuna@ttlawcourts.org;
- c. mrcc.arima@ttlawcourts.org;
- d. mrcc.sangregrande@ttlawcourts.org;
- e. mrcc.chaguanas@ttlawcourts.org;
- f. mrcc.couva@ttlawcourts.org;
- g. mrcc.sanfernando@ttlawcourts.org;
- h. mrcc.siparia@ttlawcourts.org;
- i. mrcc.pointfortin@ttlawcourts.org;
- j. mrcc.rioclaro@ttlawcourts.org;
- k. mrcc.princestown@ttlawcourts.org;
- l. mrcc.mayaro@ttlawcourts.org; and
- m. mrcc.tobago@ttlawcourts.org.

SUMMARY COURT MATTERS

30. Bail for all persons currently on bail is hereby extended to the next scheduled hearing date on the same conditions.

PROBATE AND ADMINISTRATION OF ESTATES

31. Attorneys may lodge **new applications only** at the Probate Registry using the Judiciary's E-Probate Portal.
32. Subject to paragraph 30, an attorney who has received an approval for filing may file the approved new application on the appointment date set by the Registrar of the Supreme Court.
33. The public may request an appointment to make an application for a small estate by emailing the request to HOJPB.Response@ttlawcourts.org or by contacting the Probate Registry at 223-1060 ext. 2264.
34. Attorneys and the public may lodge bonds, caveats, warnings and citations in new or existing applications electronically by emailing them to Probate.online@ttlawcourts.org.
35. Attorneys and the public may request an appointment to file supplemental affidavits in existing applications or conduct any other business including enquiring as to the status of applications by emailing the request to HOJPB.Response@ttlawcourts.org.

PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

ACCESS TO COURT LOCATIONS BY APPOINTMENT

36. An attorney-at-law or any member of the public seeking access to a court building to conduct business must receive an appointment in advance by contacting the relevant court office via the telephone number and/or email address published on the website of the Judiciary.
37. Any person who has been granted access to a court building must wear an appropriate mask covering their nose and mouth and is required to comply with all other health and safety protocols in place, including the screening of persons, use of hand sanitisers, the taking of temperatures and social distancing.
38. Specific protocols may be instituted at designated areas, locations, departments or offices within a court building to safeguard the health of persons.
39. Any person who displays flu-like symptoms, or who otherwise fails to meet the screening standard required for entry, or who fails to comply with any measures or protocols instituted, may be denied entry to a court building.

FINES

40. The payment of **all fines** due during this period is suspended until November 30, 2020.
41. Any Public Health Fixed Penalty Notices issued on or before November 30, 2020, may be **paid from December 1, 2020 to February 1, 2021**.
42. The hearings for Public Health Fixed Penalty Notices issued on or before November 30, 2020 in situations in which the fines are not paid, are hereby adjourned as follows:

PUBLIC HEALTH FIXED PENALTY NOTICES ISSUED DURING PERIOD	ADJOURNED DATE OF HEARING
September 5, 2020 to September 11, 2020	Tuesday 9, February 2021
September 12, 2020 to September 18, 2020	Tuesday 16, February 2021
September 19, 2020 to September 25, 2020	Tuesday 23, February 2021
September 26, 2020 to October 2, 2020	Tuesday 2, March 2021
October 3, 2020 to October 9, 2020	Tuesday 9, March 2021
October 10, 2020 to October 16, 2020	Tuesday 16, March 2021
October 17, 2020 to October 23, 2020	Tuesday 23, March 2021
October 24, 2020 to October 30, 2020	Tuesday 6, April 2021
October 31, 2020 to November 6, 2020	Tuesday 13, April 2021
November 7, 2020 to November 13, 2020	Tuesday 20, April 2021
November 14, 2020 to November 20, 2020	Tuesday 27, April 2021
November 21, 2020 to November 27, 2020	Tuesday 4, May 2021
November 28, 2020 to November 30, 2020	Tuesday 11, May 2021

PRACTICE DIRECTION No. 8—COURT OPERATIONS—Continued

MAINTENANCE PAYMENTS

43. All persons who have been ordered to pay maintenance must contact the court before the next payment is due to make arrangements to pay and to address conversion to CourtPay for maintenance payments.
44. All persons who are ordered to be the recipients of maintenance money must contact the court before the next payment is due to make arrangements to receive the money and to address conversion to CourtPay for maintenance payments.
45. The Court can be contacted for this purpose by emailing or calling the relevant court office via the email address or telephone number stated in the Judiciary's E-services Court Directory or by sending an email to convert2CourtPay@ttlawcourts.org.

SERVICE AND COMMISSIONER FEES

46. All service and commissioner of affidavit fees will be noted during this period and payment will be suspended until December 31, 2020.

TRAFFIC TICKETS RECEIVED PRIOR TO MAY 26, 2020

47. While provision has been made in the Miscellaneous Amendments Act, Act No. 10 of 2020, for all tickets issued before May 26, 2020 to be settled within six (6) months from May 26, 2020, by payment of 50% of the penalty, the collection of these payments by the Judiciary are hereby suspended until November 25, 2020 or in accordance with any extension by law.

Dated this 25th day of October, 2020

/s/ Ivor Archie
Chief Justice