



TRINIDAD AND TOBAGO GAZETTE

(EXTRAORDINARY)

VOL. 59

Caroni, Trinidad, Monday 16th March, 2020—Price \$1.00

No. 30

384

APPOINTMENT TO ACT AS MINISTER OF NATIONAL SECURITY

IT IS HEREBY NOTIFIED for general information that Her Excellency the President, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in her by section 79(2) of the Constitution of the Republic of Trinidad and Tobago, has appointed the HONOURABLE FITZGERALD HINDS, a member of the House of Representatives who is a Minister, to act in the Office of the Honourable STUART YOUNG, Minister of National Security, with effect from 2nd March, 2020 and continuing during the absence from Trinidad and Tobago of the said the Honourable Stuart Young, in addition to the discharge of his normal duties.

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

28th February, 2020.

385

APPOINTMENT TO ACT AS MINISTER OF TRADE AND INDUSTRY

IT IS HEREBY NOTIFIED for general information that Her Excellency the President, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in her by section 79(2) of the Constitution of the Republic of Trinidad and Tobago, has appointed CLARENCE RAMBHARAT, a member of the Senate who is a Minister, to act in the office of Senator the Honourable PAULA GOPEE-SCOON, Minister of Trade and Industry, with effect from 30th January, 2020 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable Paula Gopee-Scoon, in addition to the discharge of his normal duties.

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

30th January, 2020.

386

APPOINTMENT TO BE TEMPORARILY A MEMBER OF THE SENATE

IT IS HEREBY NOTIFIED for general information that Her Excellency the President, acting in accordance with the advice of the Acting Prime Minister, in exercise of the power vested in her by section 44(1)(b) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, has appointed HARVEY BORRIS, to be temporarily a member of the Senate with effect from 10th March, 2020 and continuing during the absence of Senator FOSTER CUMMINGS by reason of illness.

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

10th March, 2020.

PRACTICE DIRECTIONS
COVID-19 Emergency Directions

These Practice Directions are issued pursuant to Part 4 of the Civil Proceedings Rules, Part 20 of the Criminal Procedure Rules, Part 4 of the Family Proceedings Rules, and Part 22 of the Children Court Rules and are applicable to the Supreme Court and the Summary Courts.

In response to the novel coronavirus (COVID-19) emergency in the Republic of Trinidad and Tobago, these Practice Directions are issued to protect the health and safety of court staff and the public.

Whereas the Judiciary of Trinidad and Tobago is committed to doing everything necessary to ensure continued access to justice and to keep the Judiciary functioning while protecting our staff and our publics; and

Whereas the Judiciary is desirous of-

- a) reducing the number of persons coming to the nation's courthouses; and
- b) making the courthouses and administrative offices as safe as possible for those who must physically attend those buildings;

The following measures are to be implemented with immediate effect from today Monday March 16 to Friday April 17, 2020 (this period):

1. With the exception of emergency matters, domestic violence hearings, and evidentiary hearings in criminal cases, all in-person appearances are discouraged. Judges, Masters, Magistrates, Supreme Court Registrars and Magistracy Registrars are encouraged to use telephonic or video technology for all necessary hearings.

Court of Appeal:

2. Sittings of the Court of Appeal are suspended save and except matters deemed by the Court to be fit for hearing in this period.

Criminal Division of the High Court:

3. Sittings of the Criminal Division of the High Court are suspended save and except matters deemed by the Judge to whom a matter is docketed to be fit for hearing in this period.
4. Notwithstanding paragraph 3, for the purpose of this Practice Direction, the following matters are hereby deemed fit for hearing in any event during this period:

PRACTICE DIRECTIONS—CONTINUED

- Matters under the Proceeds of Crime Act including detention and forfeiture of cash matters.
 - Matters under the Interception of Communication Act
 - Matters under the Anti-Gang Act
 - Matters under the Civil Asset Recovery and Management and Unexplained Wealth Act
 - Matters under the Bail Act
5. All persons summoned to appear on April 1, 2020 for jury service are no longer required to appear. Those persons who would have applied for jury exemptions are no longer required to attend hearings scheduled for that purpose.
 6. All persons who were directed to return for jury service on March 23, 2020 are no longer required to attend court on that day and are hereby discharged.

High Court – Civil Matters

7. Sittings of the High Court for the purpose of hearing Civil matters are suspended save and except matters deemed by the Judge to whom a matter is docketed, to be fit for hearing in this period.
8. Notwithstanding paragraph 7, for the purpose of this Practice Direction, the following matters are hereby deemed fit for hearing in any event during this period:
 - Matters under the Anti-Terrorism and Mental Health Acts
 - Applications for writs of habeas corpus

Family Court- Family and Children Division of the High Court

9. Sittings of the Family Court are suspended save and except matters deemed by the Court to be fit for hearing in this period.
10. In paragraph 9 “Court” means the Registrar of the Supreme Court, a Master or a Judge.
11. Notwithstanding paragraph 9, for the purpose of this Practice Direction, the following matters are hereby deemed fit for hearing in any event during this period:
 - domestic violence cases
 - maintenance applications including applications for variation of orders to use CourtPay
 - urgent custody applications

Children Court- Family and Children Division of the High Court

12. Sittings of the Children Court are suspended save and except matters deemed by the Court to be fit for hearing in this period.

PRACTICE DIRECTIONS—CONTINUED

13. In paragraph 12 “Court” means the Registrar of the Supreme Court, a Master or a Judge.
14. Notwithstanding paragraph 12, for the purpose of this Practice Direction, the following matters are hereby deemed fit for hearing in any event during this period:
 - Domestic violence matters
 - Applications for writs of habeas corpus

District Criminal and Traffic Courts

15. Sittings of the District Criminal and Traffic Courts are suspended save and except matters deemed by the Court to be fit for hearing in this period.
16. In paragraph 15, “Court” means the Magistracy Registrar and Clerk of the Court or a Magistrate.
17. Notwithstanding paragraph 15, for the purpose of this Practice Direction, the following matters are hereby deemed fit for hearing in any event during this period:
 - domestic violence cases
 - maintenance applications including applications to vary orders to use CourtPay
 - urgent custody applications
 - matters under the Proceeds of Crime Act including detention and forfeiture of cash matters.
 - part-heard preliminary enquiries for matters related to the following which the District Court Judge deems urgent:
 - murder,
 - kidnapping,
 - robbery with violence,
 - robbery with aggravation, .
 - possession of firearms and ammunition,
 - gang related matters,
 - possession of drugs for the purpose of trafficking

Petty Civil Courts

18. Sittings of the Petty Civil Courts are suspended save and except matters deemed by the Court to be fit for hearing in this period.

Coroner’s Courts

19. Sittings of the Coroner’s Courts are suspended save and except matters deemed by the Court to be fit for hearing in this period.

PRACTICE DIRECTIONS—CONTINUED

Deeming Matters Fit for Hearing In This Period

20. The Court may on its own motion, deem a matter to be fit for hearing in this period.
21. Any party to an action or to an intended action may apply to the Court to have a matter deemed fit for hearing in this period.
22. An application under paragraph 20 must be made in writing to the Registrar of the Supreme Court in the case of a Supreme Court matter and must be accompanied by an affidavit setting out the facts and reasons which make the matter fit for hearing in this period.
23. An application under paragraph 20 must be made in writing to the Magistracy Registrar and Clerk of the Court in the case of a District Court or Summary Court matter and must be accompanied by an affidavit setting out the facts and reasons which make the matter fit for hearing in this period.

Matters in the Summary Courts not deemed fit for hearing during this period

24. All matters in the Summary Courts (including traffic matters) listed to be heard in during this period, are adjourned for one month from the date on which it was to be heard.
25. If the adjourned date falls on a weekend or public holiday, it is adjourned to the next court business day.
26. With regard to paragraph 24, the following examples apply:

Matters scheduled for March 17, 2020, are adjourned to April 20, 2020
Matters scheduled for March 20, 2020, are adjourned to April 20, 2020

Persons on Bail Whose Matters Are Not Deemed Fit For Hearing During This Period

27. Bail for all persons whose matters are not deemed fit for hearing during this period shall be extended to the adjourned date on the same conditions.

Payment of fines (including traffic tickets)

28. The time allowed for the payment of all fines (including traffic tickets) for which payment is due during this period is extended for one month from the date on which payment is due.
29. If the new due date falls on a weekend or public holiday, the payment becomes due on the next court business day.
30. With regard to paragraph 29, the following examples apply:

PRACTICE DIRECTIONS—CONTINUED

Payments due on March 17, 2020, will now become due on April 20, 2020

Payments due on March 20, 2020, will now become due on April 20, 2020

Probate and Administration of Estates

31. Attorneys and the Public are discouraged from filing new applications for Probate or Letters of Administration during this period.
32. Notwithstanding paragraph 31, new applications for Probate may be lodged online with the Judiciary's E-Probate system.
33. Attorneys and the public may lodge supplemental affidavits in existing applications electronically by emailing them to Probate.online@ttlawcourts.org

Time

34. In respect of all directions or deadlines not specifically addressed in this Practice Direction, time will cease to run until April 20, 2020

Other matters

35. In the interest of public health and to maintain appropriate social distancing, attendance in courtrooms should be limited to attorneys, parties, and necessary witnesses.
36. Attorneys are encouraged to file by electronic means wherever possible.
37. The Judiciary may establish screening standards and health and safety protocols for entry into court buildings. Persons may be denied entry into court buildings if they display flu-like symptoms or otherwise fail to meet the screening standards required for entry.
38. Anyone with legitimate court business who is ill, caring for someone who is ill or in a high-risk category as stated by the Ministry of Health or the Judiciary is advised to stay home and request an adjournment by calling the relevant court office, contacting the Registrar of the Supreme Court or the Magistracy Registrar of the Court as the case may be by sending an e-mail to covid.response.public@ttlawcourts.org , or sending an email to the Judge's or Judicial Officer's team.

Dated this 16th day of March, 2020

/s/ Ivor Archie

Chief Justice