

SAINT LUCIA

No. 10 of 2008

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I ASSENT

[L.S.]

PEARLETTE LOUISY,
Governor-General.

August 6, 2008.

SAINT LUCIA

No. 10 of 2008

AN ACT to amend the District Court Act, Cap. 2.02.

[11th August, 2008]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the District Court (Amendment) Act 2008.

Interpretation

2. In this Act “principal Act” means the District Court Act, Cap. 2.02.

Amendment of sections 3,6,8,9,12 and 51

3. Sections 3, 6, 8, 9,12 and 51 of the principal Act are amended by deleting the words “Governor General” wherever they appear in those sections and by substituting the words “Chief Justice”.

Amendment of section 24

4. Section 24 of the principal Act is repealed and substituted by the following:

“24. ASSIGNMENT OF MAGISTRATE

- (1) The Chief Justice may assign a magistrate to one or more than one district and may assign one or more of such magistrates to each district.
- (2) Notice of an assignment pursuant to subsection (1) shall be published in the *Gazette*.
- (3) Where more than one magistrate is assigned to any one district or to several districts, each such magistrate shall have and exercise concurrent jurisdiction with the other or others so assigned.”.

Repeal of section 25

5. Section 25 of the principal Act is repealed.

Amendment of section 27

6. Section 27 of the principal Act is repealed and substituted by the following:

“27. ASSIGNMENT OF MAGISTRATE FROM ONE DISTRICT TO ANOTHER

- (1) Subject to subsection (2), the Chief Justice may at any time assign a magistrate from one district to any other district.

No. 10] *District Court (Amendment) Act* [2008.

- (2) A magistrate shall not suffer any diminution of his or her emoluments by reason of an assignment pursuant to subsection (1).”.

Amendment of section 28

7. Section 28 of the principal Act is repealed and substituted by the following:

“28. ASSIGNMENT OF MAGISTRATE TO EXERCISE ANOTHER MAGISTRATE’S JURISDICTION

“The Chief Justice may assign a magistrate of any district to exercise in any other district any jurisdiction of the magistrate of the other district.”.

Repeal of sections 29 and 30

8. Sections 29 and 30 of the principal Act are repealed.

Amendment of section 36

9. Section 36 of the principal Act is repealed and substituted by the following:

“36. ASSIGNMENT OF CLERKS AND ASSISTANT CLERKS

- (1) The Chief Justice may assign a clerk of court appointed pursuant to section 91 of the Constitution to a district court.
- (2) The Chief Justice may assign an assistant clerk of court appointed pursuant to section 91 of the Constitution to a district court.”.

Amendment of section 39

10. Section 39 of the principal Act is repealed and substituted by the following:

“39. ASSIGNMENT OF CLERK FROM ONE COURT TO ANOTHER

- (1) Subject to subsection (2), the Chief Justice may at any time assign the clerk of one court to be the clerk of another court.
- (2) A clerk shall not suffer any diminution of his or her emoluments by reason of an assignment pursuant to subsection (1).”.

Amendment of section 46

11. Section 46 of the principal Act is repealed and substituted by the following:

“46. ASSIGNMENT OF BAILIFFS

- (1) The magistrate of each district may, subject to the approval of the Chief Justice assign a public officer appointed as a bailiff to be the bailiff of the court.
- (2) If at any time it is made to appear, to the satisfaction of the Chief Justice, that one bailiff is insufficient for the duties of the office in any district, the Chief Justice may authorize the assignment by the magistrate, subject to such approval as referred to in subsection (1), of one or more other bailiffs for such district.”.

Repeal of section 50

12. Section 50 of the principal Act is repealed.

Amendment of section 54

13. Section 54 of the principal Act is repealed and substituted by the following:

“54. RULES

- (1) The Chief Justice may make rules for regulating the practice and procedure of the district court in matters not provided for by this Act or any other statute relating thereto.”.

No. 10] *District Court (Amendment) Act* [2008.

Passed in the House of Assembly this 8th day of July, 2008.

SARAH FLOOD-BEAUBRUN,
Speaker of the House.

Passed in the Senate this 28th day of July, 2008.

ROSEMARIE HUSBANDS-MATHURIN,
President of the Senate.