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No. 10 of 2025

First Session Thirteenth Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend the Administration of Justice
(Indictable Proceedings) Act, 2011 (Act No. 20 of 2011)

THE ADMINISTRATION OF JUSTICE (INDICTABLE
PROCEEDINGS) (AMENDMENT) BILL, 2025

Explanatory Note

(These notes form no part of the Bill but are intended only to
indicate its general purport)

The Administration of Justice (Indictable Proceedings) (Amendment) Bill, 2025 (“the Bill”) seeks to further amend the Administration of Justice (Indictable Proceedings) Act, 2011 (Act No. 20 of 2011) (“the Act”) which provides for the abolition of preliminary enquiries and for the conduct of initial and sufficiency hearings by a Master of the High Court.

Clause 1 of the Bill would provide the short title of the Bill.

Clause 2 of the Bill would provide for the interpretation of the words “the Act” to mean the Administration of Justice (Indictable Proceedings) Act, 2011.

Clause 3 of the Bill which consists of three (3) paragraphs, would amend section 10 of the Act.

Paragraph (a) of clause 3, would amend section 10(1A)(a) of the Act to ensure that a Magistrate or Magistracy Registrar and Clerk of the Court does not have, nor is able to exercise concurrent jurisdiction in relation to various matters, regardless of any written law which provides for such jurisdiction. These matters are—receiving complaints on oath (pursuant to section 6 of the Act), issuing a summons or an arrest, granting of bail in accordance with the Bail Act and fixing the amount, taking recognisances and remanding the accused in custody.

Paragraph (b) of clause 3, would seek to insert, after section 10(1A), a new subsection (1B), to allow a Magistrate, a Magistracy Registrar and Clerk of the Court or a Justice of the Peace, subject to subsection (2), to have and exercise concurrent jurisdiction with Masters to issue search warrants.

Paragraph (c) of clause 3, would propose to amend section 10(2) of the Act by inserting the words, “a Magistrate, a Magistracy Registrar and Clerk of the Court or a Justice of the Peace” after the word “Registrar”. This insertion ensures consistency throughout the Act by listing persons who possess concurrent jurisdiction with Masters as it relates to the issuing of search warrants and the procedures to be followed in terms of filing documents in the High Court.

Clause 4 of the Bill would seek to insert in Schedule 1, Form 1, of the Act the words “Magistracy Registrar and Clerk of the Court/Justice of the Peace”, in order to ensure consistency throughout the Act by listing persons who possess concurrent jurisdiction with Masters as it relates to the issuing of search warrants.

BILL

An Act to amend the Administration of Justice
(Indictable Proceedings) Act, 2011 (Act No. 20 of 2011)

[, 2025]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

1. This Act may be cited as the Administration of Short title
Justice (Indictable Proceedings) (Amendment) Act,
2025.

2. In this Act, “the Act” means the Administration of Interpretation
Justice (Indictable Proceedings) Act, 2011.

- (a) in subsection (1A)(a), by deleting the words “subsection (1)” and substituting the words “subsection (1)(b) to (e)”;
- (b) by inserting after subsection (1A), the following subsection:

“(1B) For the purpose of this Act, a Magistrate, a Magistracy Registrar and Clerk of the Court or a Justice of the Peace shall, subject to subsection (2), have and exercise concurrent jurisdiction with Masters to issue search warrants.”; and

- (c) in subsection (2), by—
- (i) inserting after the words “the Registrar”, the words “, a Magistrate, a Magistracy Registrar and Clerk of the Court or a Justice of the Peace”; and
 - (ii) deleting the words “Court from which it was issued,” and substituting the words “High Court”.

Schedule 1
Form 1 amended

4. Schedule 1 of the Act is amended, in Form 1, by inserting after the words “(name of Master/Magistrate”, the words “/Magistracy Registrar and Clerk of the Court/Justice of the Peace”.

Passed in the House of Representatives this day
of , 2025.

Clerk of the House

I confirm the above.

Speaker

Passed in the Senate this day of , 2025.

Clerk of the Senate

I confirm the above.

President of the Senate

No. 10 of 2025

FIRST SESSION
THIRTEENTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to amend the Administration of
Justice (Indictable Proceedings) Act,
2011 (Act No. 20 of 2011)

Received and read the

First time

Second time

Third time