

LAWS OF GUYANA

PROTOCOL TO THE AGREEMENT ESTABLISHING THE
CARIBBEAN COURT OF JUSTICE ACT

CHAPTER 3:09

Act
17 of 2004

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*Protocol to the Agreement Establishing
the Caribbean Court of Justice*

Note

on

Subsidiary Legislation

This Chapter contains no subsidiary legislation.

CHAPTER 3:09

**PROTOCOL TO THE AGREEMENT ESTABLISHING
THE CARIBBEAN COURT OF JUSTICE ACT**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Protocol given the force of law.

SCHEDULE – Protocol to the Agreement Establishing the Caribbean Court of Justice.

17 of 2004

AN ACT to enable the implementation by Guyana of the Protocol to the Agreement Establishing the Caribbean Court of Justice.

[23RD JULY, 2002]

Short title.

1. This Act may be cited as the Protocol to the Agreement Establishing the Caribbean Court of Justice Act.

Interpretation.

2. In this Act “Protocol” means the Protocol to the Agreement Establishing the Caribbean Court of Justice, signed at Montego Bay, Jamaica on 4th July, 2003, the text of which is set out in the Schedule.

Schedule

Protocol given
the force of law

3. The Protocol shall have the force of law in Guyana.

SCHEDULE

**PROTOCOL TO THE AGREEMENT ESTABLISHING THE
CARIBBEAN COURT OF JUSTICE RELATING TO THE
JURIDICAL PERSONALITY AND LEGAL CAPACITY OF
THE COURT**

The Contracting Parties:

Noting that the Agreement Establishing the Caribbean Court of Justice (hereinafter referred to as “the Agreement”) entered into force on 23 July 2002;

Conscious that Article VI of the Agreement confers on the Regional Judicial and Legal Services Commission (hereinafter referred to as “the Commission”) full juridical personality, including in particular, full capacity to contract;

Aware that the Government of Trinidad and Tobago, the Contracting Party in whose territory the Seat of the Caribbean Court of Justice (hereinafter referred to as the “the Court”) is situated, in accordance with Article III (4) of the Agreement, intends to conclude an Agreement relating to the Seat of the Court and Headquarters of the Commission:

Desirous of conferring on the Court full juridical personality and legal capacity.

Have Agreed as follows:

**ARTICLE I
JURIDICAL PERSONALITY AND
LEGAL CAPACITY OF THE COURT**

1. The Court shall have full juridical personality.

2. Each Contacting party to the Agreement shall, in its territory, accord to the Court the most extensive legal capacity accorded to legal persons under its municipal law.

3. In any legal proceedings, the Court shall be represented by the Registrar of the Court.

4. Each Contracting Party to the Agreement shall take such action as is necessary to make effective in its territory the provisions of this Article and shall promptly inform the Secretary-General of the Caribbean Community of such action.

**ARTICLE II
PRIVILEGES AND IMMUNITIES
OF THE COURT AND THE COMMISSION**

The President of the Court shall conclude with the Government of Trinidad and Tobago an Agreement relating to the Seat of the Court and the Headquarters of the Commission setting out, inter alia:

- (a) the terms respecting the facilitation of the administration and operation of the Court and the Commission; and
- (b) the privileges and immunities to be accorded to the Commission and its members, the Court, the Judges and officers of the Court, parties, their counsel and other persons required to appear before the Court.

**ARTICLE III
RELATIONSHIP BETWEEN THIS PROTOCOL
AND THE AGREEMENT**

This Protocol shall be read as one with the

Agreement.

**ARTICLE IV
SIGNATURE**

This Protocol shall be open for signature by the Contracting Parties to the Agreement.

**ARTICLE V
ENTRY INTO FORCE**

This Protocol shall enter into force on signature by the Contracting Parties to the Agreement.

**ARTICLE VI
ACCESSION**

1. Any Contracting Party to the Agreement may accede to this Protocol.

2. Instruments of accessories shall be deposited with the Secretary-General who shall transmit certified copies to the Governments.

IN WITNESS WHEREOF the undersigned representatives, being duly authorised by their respective Governments or Institutions, have signed this Protocol.

DONE at _____ on the _____ day
of _____
2003

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*Protocol to the Agreement Establishing
the Caribbean Court of Justice*

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Signed by
for the Government of Antigua and Barbuda on the
day of 2003 at

Signed by
for the Government of Barbados on the day of
2003 at

Signed by
for the Government of Belize on the day of
2003 at

Signed by
for the Government of the Commonwealth of Dominica on
the
day of 2003 at

Signed by
for the Government of Grenada on the day of
2003 at

Signed by
for the Government of the Cooperative Republic of Guyana
on the day of 2003 at

Signed by
for the Government of Jamaica on the day of
2003 at

Signed by
for the Government of Montserrat on the day of
2003 at

Signed by
for the Government of St. Kitts and Nevis on the day of
2003 at

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the Caribbean Court of Justice*

Signed by
for the Government of Saint Lucia on the day of
2003 at

Signed by
for the Government of St. Vincent and the Grenadines on the
day of 2003 at

Signed by
for the Government of the Republic of Suriname on the
day of 2003 at

Signed by
for the Government of Trinidad and Tobago on the
day of 2003 at
