

M O N T S E R R A T
SUPREME COURT (AMENDMENT) ACT

No. 17 of 2013

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Montserrat
Supreme Court (Amendment) Act, 2013
No. 17 of 2013

I ASSENT

Adrian Davis (Sgd.)
Governor

DATE: 2.12.13

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AN ACT TO AMEND THE SUPREME COURT ACT (CAP. 2.01).

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat, and by the Authority of the same as follows—

1. Short title

This Act may be cited as the Supreme Court (Amendment) Act, 2013.

2. Interpretation

In this Act, “**principal Act**” means the Supreme Court Act (Cap. 2.01).

3. Section 2 amended

Section 2 of the principal Act is amended—

(a) by inserting the following definition in the correct alphabetical order:

“**Deputy Registrar**” means the Deputy Registrar of the High Court;”.

4. Insertion of section 62A

The principal Act is amended by inserting the following as section 62A:

Deputy Registrar

62A. (1) The Governor, acting after consultation with the Chief Justice, may appoint a Deputy Registrar of the High Court.

(2) The Deputy Registrar shall assist the Registrar in the performance of his duties and is subject to the general and specific directions of the Registrar.”.

5. Section 64 amended

The principal Act is amended by deleting section 64 and substituting the following:

Acting Registrar

64. (1) Whenever the Registrar is on leave, ill or otherwise unable to perform the duties of Registrar, the Deputy Registrar shall act as Registrar and while acting, has all the powers and duties of the Registrar.

(2) Whenever both the Registrar and the Deputy Registrar are on leave, ill or otherwise unable to perform the duties of Registrar, the

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Governor, acting after consultation with the Chief Justice may appoint a fit and proper person to act as Registrar and the person while acting, has all the powers and duties of the Registrar.

(3) Until an appointment is made under subsection (2), and also on every occasion when the Registrar and Deputy Registrar are from any cause absent from office, the duties of the Registrar shall devolve on and be performed by the Clerk next in seniority to the Deputy Registrar and officiating in the Registry, who while acting, has all the powers of the Registrar.

(4) Whenever the Deputy Registrar or any other person, is acting as Registrar, the duties of the Deputy Registrar may, if the exigencies of the office so require, devolve on and be performed by either—

- (a)* the Clerk next in seniority to the Deputy Registrar officiating in the Registry; or
- (b)* where the Clerk next in seniority to the Deputy Registrar is acting as Registrar, by the next senior Clerk officiating in the Registry.”.

Teresina Bodkin (Sgd.)
SPEAKER

Passed the Legislative Assembly this 5th day of November, 2013.

Judith Baker (Sgd.)
CLERK OF THE LEGISLATIVE ASSEMBLY