

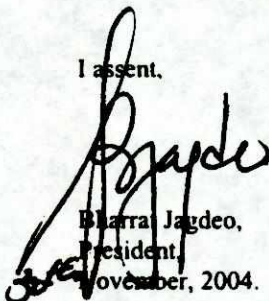


GUYANA

ACT No. 17 of 2004

**PROTOCOL TO THE AGREEMENT ESTABLISHING
THE CARIBBEAN COURT OF JUSTICE ACT 2004**

I assent,


Bharrat Jagdeo,
President

November, 2004.

ARRANGEMENT OF SECTIONS

SECTION

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

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

PRICE: \$ 520.00 To be purchased from the office of the President, Georgetown

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

A.D. 2004

Enacted by the Parliament of Guyana:-

Short title and
commencement.

1. This Act may be cited as the Protocol to the Agreement
Establishing the Caribbean Court of Justice Act 2004 and shall come into
operation on such date as the Minister may by Order appoint.

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**s.2**

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

**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 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 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 the 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 Contracting 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 accession 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 *Montego Bay, Jamaica* on the *fourth* day of *July* 2003

Signed by



for the Government of Antigua and Barbuda on the *4th* day of *July* 2003

at *Montego Bay, Jamaica*

Signed by

for the Government of Barbados on the

4th day of July 2003

at Montego Bay, Jamaica

Signed by

for the Government of Belize on the

4th day of July 2003

at Montego Bay, Jamaica

Signed by

for the Government of the Commonwealth of Dominica on the

4th day of July

2003

at Montego Bay, Jamaica

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

4 July 2003

at Montego Bay, Jamaica

Signed by

for the Government of Jamaica on the

4th day of July 2003

at Montego Bay, Jamaica

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

4th day of July, 2003

at Montserrat Bay, Jamaica

Signed by

for the Government of Saint Lucia on the 4th day of July, 2003

at Montserrat Bay, Jamaica

Signed by

for the Government of St. Vincent and the Grenadines on the

4th day of July

2003

at Montserrat Bay, Jamaica

Signed by

for the Government of the Republic of Suriname on the

4th

day of July

2003

at Montserrat Bay, Jamaica

Signed by

for the Government of Trinidad and Tobago on the

4th

day of July, 2003

at Montserrat Bay, Jamaica

Passed by the National Assembly on 4th November, 2004.


S. E. Isaacs,
Clerk of the National Assembly.

(BILL No. 16/2004).