

## OBJECTS AND REASONS

This Bill would amend the *Supreme Court of Judicature Act*, Cap. 117A to make provision for the office of Master of the High Court.

### *Arrangement of Sections*

#### *Section*

1. Short title.
2. Amendment of section 2 of Cap. 117A.
3. Insertion of new Part VI A in Cap. 117A.
4. Amendment of section 82 of Cap. 117A.

BARBADOS

A Bill entitled

An Act to amend the *Supreme Court of Judicature Act*.

ENACTED by the Parliament of Barbados as follows:

1. This Act may be cited as the *Supreme Court of Judicature (Amendment) Act, 2006*. Short title.

2. Section 2 of the *Supreme Court of Judicature Act*, in this Act referred to as the principal Act, is amended by inserting the following new definition in its appropriate alphabetical order: Amendment of section 2 of Cap. 117A.

"Master" means a Master of the High Court;".

Insertion  
of new Part  
VIA in  
Cap. 117A.

3. The principal Act, is amended by inserting the following new Part immediately after section 69:

" PART VI A

MASTER OF THE HIGH COURT

Master  
of the  
Supreme  
Court.

69A. (1) A Master of the High Court shall be appointed by the Governor-General on the advice of the Prime Minister after consultation with the Chairman of the Judicial and Legal Service Commission.

(2) No person may be appointed as Master unless that person is an attorney-at-law who has practised as such for not less than 10 years.

(3) A Master shall exercise such authority and jurisdiction of a judge of the High Court sitting in Chambers as is assigned to the Master by this Act or rules of court.

(4) Section 93 of the *Constitution* applies in respect of the removal or discipline of a Master.

Powers  
of  
Master.

69B. (1) Where under this Act or rules of court a Master has jurisdiction in relation to any matter to make an order in relation to that matter, the order

(a) may include provision for costs, certificate for counsel or other consequential matters; and

(b) shall, subject to this Act, have the same effect as if it had been made by a Judge.

(2) Where under this Act or the rules of court a Master exercises jurisdiction in relation to any matter, then

(a) in relation to that matter, the Master shall have all the rights, powers, immunities and privileges of a Judge; and

(b) any party to the proceedings may, if he so desires, appear by an attorney-at-law.

Appeals. **69C.** (1) An Appeal shall be to the Court of Appeal from any order or decision of a Master made in the exercise of any jurisdiction conferred on him under this Act or by rules of court.

(2) No appeal from an order or a decision of the Master under this section shall operate as a stay of proceedings unless a Master or the Court of Appeal so orders.

Proce-  
dure  
where  
hearing  
is not  
con-  
cluded.

**69D.** Where the hearing of any proceedings has commenced before a Master and

- (a) prior to the conclusion of the hearing, the Master ceases either permanently or temporarily to hold office, the Master may, whether or not he has reserved judgment, be assigned at any time to be the Master for the purpose of concluding the hearing;
- (b) the Master has reserved judgment but ceases to hold office before he has delivered his judgment, the Master may at any time lodge with the Registrar the judgment in writing; and the judgment shall
  - (i) as soon as possible thereafter be read in Chambers in accordance with the directions of the Chief Justice, and
  - (ii) take effect in all respects as if the person who reserved judgment had continued to be the Master and had delivered judgment.

Remunera- 69E. (1) There shall be paid to a holder of the  
tion. office of Master a salary at such rate as the Governor-  
General by order specifies .

(2) An order made under subsection (1) may have retrospective effect and shall be subject to negative resolution.

(3) An order made under this section may contain such supplementary provisions as the Governor-General may consider necessary or expedient for the purposes of the order.

Pension. 69F. The *Pensions Act* and the *Pensions*  
Cap. 25. *Regulations, 1947* shall apply to a Master appointed under this Part."

Amendment of section 82 of Cap. 117A. 4. Section 82 of the principal Act is amended by inserting the following new subsection immediately after subsection (2):

"(2A) Rules of court shall prescribe the matters in which the powers, authority and jurisdiction of a Master may be exercised."