



**REGIONAL JUDICIAL AND LEGAL SERVICES COMMISS**

**ANNUAL REPORT  
FOR THE PERIOD JANUARY 1 TO DECEMBER 31, 2008**

REPORT OF THE REGIONAL JUDICIAL AND LEGAL SERVICES  
COMMISSION PURSUANT TO ARTICLE V.10 OF THE AGREEMENT  
ESTABLISHING THE CARIBBEAN COURT OF JUSTICE FOR THE YEAR  
JANUARY 1, TO DECEMBER 31, 2008

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## **1. DEFINITION OF TERMS**

In this Report the following terms which are frequently used have the meanings assigned to them below -

"the Agreement" means the Agreement Establishing the Caribbean Court of Justice;

"the Commission" means the Regional Judicial and Legal Services Commission;

"the Court" means the Caribbean Court of Justice;

"OECS" means the Organisation of Eastern Caribbean States;

"the Treaty" means the Revised Treaty of Chaguaramas;

"the Trustees" means the Board of Trustees of the Caribbean Court of Justice Trust Fund;

"the Trust Fund" means the Caribbean Court of Justice Trust Fund established by the Revised Agreement dated January 12, 2004.

## **2. INTRODUCTION**

- 2.1 Article V.10 of the Agreement provides that: "The Commission shall, no later than 31 March in every year, submit to the Heads of Government, an Annual Report of its work and operations during the previous year."
- 2.2 The year 2008 marked an interesting year in the life of the Commission. In the month of August 2008 the Commission celebrated the fifth anniversary of its establishment. Members of the Commission joined representatives of the Court and Trust Fund in travelling to Belize, Jamaica and Antigua and Barbuda to participate in a Public Education campaign about the Court in those Member States.
- 2.3 Members of the Commission were also interviewed by a team of researchers headed by Professor Kate Malleson of Queen Mary College, University of London, as part of a Research Project dealing with the role of the Commission in the appointment of Judges to an international court.
- 2.4 The Chairman and members of the Competition Commission who had been appointed in December 2007 took the oath of office in Suriname in January 2008.

### 3. FUNCTIONS OF THE COMMISSION

- 3.1 In 2008 the Commission held eight (8) meetings and sub-Committees of the Commission met on eight (8) occasions. In an effort to reduce costs the Commission took a decision to schedule meetings of its sub-Committees on the day preceding and/or following the day of the Commission meeting. As a result on five occasions meetings of the Commission and sub-Committees of the Commission were held over a two day period. The dates on which meetings of the Commission and the sub-Committees were held are listed at **Appendix A** and **Appendix C** respectively. The members who attended each meeting of the Commission are listed at **Appendix B**.
- 3.2 The main functions of the Commission are set out in Article V.3 (1) of the Agreement. This Article provides that -
- "The Commission shall have responsibility for:
- (a) making appointments to the office of Judge of the Court, other than that of President;
  - (b) making appointments of those officials and employees referred to in Article XXVII and for determining the salaries and allowances to be paid to such officials and employees;
  - (c) the determination of the terms and conditions of service of officials and employees; and
  - (d) the termination of appointments in accordance with the provisions of the Agreement."
- 3.3 The Agreement also sets out other functions of the Commission. Such functions include -
- the exercise of disciplinary control over Judges of the Court, other than the President, and over officials and employees of the Court; Article V.3(2).
  - the making of recommendations to the Heads as to the person to be appointed President and for the removal of the President from office; Article IV.6.
  - the determination of the terms and conditions and other benefits of the President and other Judges of the Court with the approval of the Heads of Government; Article XXVIII as amended.
  - the making of Regulations -
    - to govern the appointment, discipline, termination of appointment and other terms and conditions of service and employment for Judges, other than the President, and officials and employees of the Court,
    - to prescribe the procedure governing the conduct of such proceedings, and
    - generally to give effect to the Agreement. Article XXXI.

- 3.4 The Commission is also given the responsibility under Article 172 of the Revised Treaty of Chaguaramas for appointing the members of the Competition Commission.

#### **4. CHANGES IN MEMBERSHIP OF THE COMMISSION**

- 4.1 The Commission functioned for most of 2008 with eight of its ten members. In February 2008, Mr. Anthony Sylvestre, the Chairman of the Judicial and Legal Services Commission of Belize, who had been appointed pursuant to Article V.1(c) of the Agreement, resigned from that office with effect from February 6, 2008. The post was subsequently filled by Mr. Rodney Neal who was invited to serve the remainder of the three year term of office begun by Mr. Sylvestre on January 12, 2007.
- 4.2 Mr. Neal however was not sworn in as a member of the Commission until January 2009. The delay was caused by the anticipation of a constitutional amendment which would have made the Chief Justice Chairman of the Judicial and Legal Services Commission but which did not materialize.
- 4.3 Commissioner Floissac, who had been re-appointed on August 20, 2007 as a member of the Commission pursuant to Article V.1(g) of the Agreement, was unable due to illness to attend meetings of the Commission in 2008 and resigned as a member of the Commission with effect from November 24, 2008.
- 4.4 The composition of the Commission as set out in Article V.1 of the Agreement is as follows:
- (a) The President who shall be the Chairman of the Commission;
  - (b) Two persons nominated jointly by the Organisation of the Commonwealth Caribbean Bar Association (OCCBA) and the Organisation of Eastern Caribbean States (OECS) Bar Association;
  - (c) One chairman of the Judicial Services Commission of a Contracting Party selected in rotation in the English alphabetical order for a period of three years;
  - (d) The Chairman of a Public Service Commission of a Contracting Party selected in rotation in the reverse English alphabetical order for a period of three years;
  - (e) Two persons from civil society nominated jointly by the Secretary General of the Community and the Director General of the OECS for a period of three years following consultations with regional non-governmental organisations;

- (f) Two distinguished jurists nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, the Deans of the Faculties of Law of any of the Contracting Parties and the Chairman of the Council of Legal Education; and
- (g) Two persons nominated jointly by the Bar or Law Associations of the Contracting Parties.”



- 4.5 The following table shows the persons who served as members of the Commission in 2008 and the basis for their appointment:-

Table 1

<b>Date of Assumption</b>	<b>Name of Commissioner</b>	<b>Basis for Appointment</b>	<b>Relevant paragraph of Article V.1</b>
August 18, 2004	The Rt. Hon. Mr. Justice Michael de la Bastide, T.C.	President of the Court	(a)
July 7, 2006 September 12, 2003 [Both re-appointed from August 20, 2007]	Dr. Joseph Archibald, Q.C. Dr. the Hon. Lloyd George Barnett, O.J.	Nominated jointly by OCCBA & OECS Bar Associations	(b)
January 12, 2007 [to February 6, 2008]	Mr. Anthony Sylvestre, M.B.E.	Chairman, Judicial Services Commission of Belize	(c)
September 29, 2006	Mr. C. A. Blazer Williams, B.A., M.Sc., LL.B.	Chairman of the Public Service Commission of St. Vincent and the Grenadines	(d)
August 21, 2003 [both] [Both re-appointed from August 20, 2006]	Ms. Gloria Gray, B.Sc., M.Sc. Ms. Nelcia Robinson, B. Sc.	Nominated jointly by the Secretary-General of the Community and Director General of the OECS	(e)
September 28, 2007 October 10, 2003 [re-appointed from August 19, 2007]	Professor A. Ralph Carnegie, B.A., M.A. Dr. Magda Hoever-Venoaks, M.Sc., Ph.D.	Nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, Deans of the Faculties of Law of the Contracting Parties and Chairman of the Council of Legal Education	(f)
August 21, 2003 [resigned November 24, 2008] August 21, 2003 [Both re-appointed from August 20, 2007]	The Rt. Hon. Sir Vincent Floissac, CMG, Q.C., LL.M. Mr. Allan Alexander, S.C.	Nominated jointly by the Bar or Law Associations of the Contracting Parties	(g)

Table 2

<b>Name of Commissioner</b>	<b>Nationality</b>	<b>Date of Expiration of Term of Office</b>
The Rt. Hon. Mr. Justice Michael de la Bastide, T.C.	Trinidad and Tobago	July 18, 2009
Dr. Joseph Archibald, Q.C.	St. Kitts and Nevis	August 19, 2010
Dr. the Hon. Lloyd George Barnett, O.J.	Jamaica	August 19, 2010
Mr. Anthony Sylvestre, M.B.E.	Belize	January 11, 2010 [resigned w.e.f. February 6, 2008]
Mr. C. A. Blazer Williams, B.A., M.Sc., LL.B.	St. Vincent and the Grenadines	September 19, 2009
Ms. Gloria Gray, B.Sc., M.Sc.	Trinidad and Tobago	August 20, 2009
Ms. Nelcia Robinson, B.Sc.	St. Vincent and the Grenadines	August 20, 2009
Professor A. Ralph Carnegie, B.A., M.A.	Jamaica	August 19, 2010
Dr. Magda Hoever-Venoaks, M.Sc., Ph.D.	Suriname	August 19, 2010
The Rt. Hon. Sir Vincent Floissac, CMG, Q.C., LL.M.	St. Lucia	August 19, 2010 [resigned w.e.f. November 24, 2008]
Mr. Allan Alexander, S.C.	Trinidad and Tobago	August 19, 2010



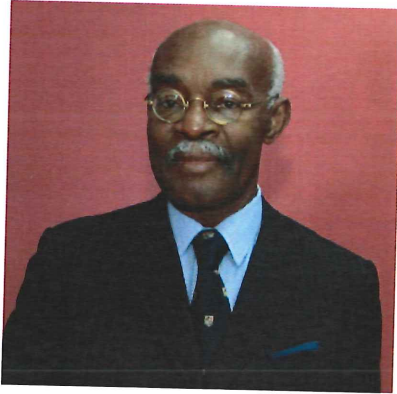
**The Rt. Hon. Mr. Justice Michael de la Bastide, T.C.**

The Right Honourable Mr. Justice Michael de la Bastide, T.C., a citizen of Trinidad and Tobago obtained the degrees of Bachelor of Arts (Jurisprudence) in 1959 and the Bachelor of Civil Law in 1960. He was called to the Bar in 1961. After working as Crown Counsel in the Office of the Attorney General of Trinidad and Tobago, he entered private practice and was appointed Queen's Counsel in January 1975.

Mr. de la Bastide served as an Independent member of the Senate from 1976 to 1981 and as a member of the Wooding Constitution Commission from 1971 to 1974 and of the Hyatali Commission from 1987 to 1990. He was elected the first President of the Law Association of Trinidad and Tobago and served in that capacity for three terms.

He was appointed Chief Justice of Trinidad and Tobago on May 31, 1995 and awarded Trinidad and Tobago's highest national honour, the Trinity Cross, in 1996.

He was elected an Honorary Bencher of Gray's Inn in November 1996 and created Fellow of the Society for Advanced Legal Studies in 2000. Mr. Justice de la Bastide was sworn in as a member of the Privy Council by her Majesty Queen Elizabeth II on July 27, 2004 and made an Honorary Student [Fellow] of Christ Church Oxford University in January 2005.



**Dr. Joseph Archibald, Q.C.**

Dr. Joseph Samuel Archibald was born in St. Kitts and Nevis. He was admitted as a Barrister-at-Law of Lincoln's Inn, London on July 12, 1960. He is the holder of the Inns of Court Special Certificate in Public International Law, London (1960).

Dr. Archibald practised law in the Eastern Caribbean from Chambers in the British Virgin Islands (BVI) at all court levels in the Caribbean up to the Judicial Committee of the Privy Council in England. He has also held many senior official legal positions including High Court Registrar, Magistrate, Crown Counsel, Director of Public Prosecutions and Attorney-General in St. Kitts-Nevis-Anguilla. He was appointed Queen's Counsel in 1980.

Dr. Archibald acted as a Judge of the Supreme Court of the West Indies Associated States (1978), assigned to Dominica. He has also acted as a Judge of the Eastern Caribbean Supreme Court (ECSC), assigned to St. Lucia and served as a Justice of the Court of Appeal of the ECSC from June to July 2004. In 2005, he was awarded the Degree of Doctor of Laws (*honoris causa*) of the University of the West Indies.

Dr. Archibald's accomplishments as a Caribbean legal luminary have also won him appointment or election, on many legal and statutory bodies including Constitutional Committees, Task Forces and the BVI Bar Committee. He is also very involved with the Methodist Church regionally and internationally.

Dr. Archibald is married to Inez Hodge, Speaker of the Legislative Council of the British Virgin Islands from July 2003 to the present. They have three children.



**Dr. the Honourable Lloyd Barnett, O.J.**

Dr. Barnett, a citizen of Jamaica, is a practising attorney-at-law. He holds the B.A. (1954), LL.B. (1957), LL.M. (1960) and the Ph.D. (1966) all from the University of London. He was admitted to the Bar of Lincoln's Inn in December 1960. He has served as Crown Counsel in the Chambers of the Attorney General and the Office of the Director of Public Prosecutions.

He has also served as President of the Jamaica Bar Association, Chairman of the Jamaica Council of Human Rights and as Vice President and President of the Organisation of Commonwealth Caribbean Bar Associations (OCCBA).

From 1995 to the present he has been Chairman of the General Legal Council of Jamaica. He was named a member of the Police Service Commission in 2003. In 1999 Dr. Barnett was awarded the Order of Jamaica for his outstanding contribution to jurisprudence and legal education in the Caribbean region.



**Mr. Anthony Sylvestre, M.B.E.**

Mr. Anthony Sylvestre, a national of Belize, has had a distinguished career in the public service of Belize which included appointments to the posts of Permanent Secretary and Secretary to Cabinet.

Mr. Sylvestre is credited with being the first National Emergency Coordinator (NEC) and with the development of the National Emergency Management Organization (NEMO) Secretariat to a full-time agency. He was elevated to the post of Chief Executive Officer in the Ministry of Foreign Affairs, Defence and the National Emergency Management Organization (NEMO). He was subsequently appointed Chairman of the Public Services Commission, which includes the Judicial and Legal Services Commission, the post he currently holds.

Mr. Sylvestre is the recipient of the award of the Member of the British Empire (M.B.E.).



**Mr. C. A. Blazer Williams, B.A., M.Sc., LL.B.**

Mr. Cecil Blazer Williams, a citizen of St. Vincent and the Grenadines, obtained the B.A. from the University of the West Indies in 1973; he obtained the M.Sc. in National Development and Project Planning from the University of Bradford in England in 1979 and obtained the LL.B. degree from the University of London in 1996.

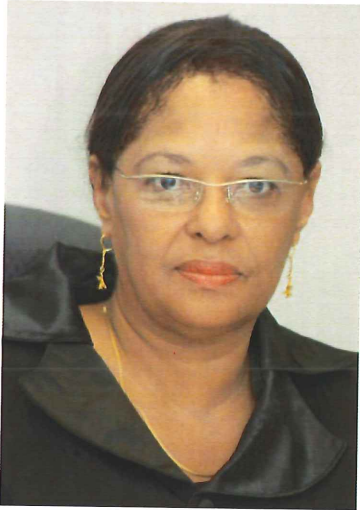
Mr. Williams is currently the Chairman of the Public Service Commission and Police Service Commission in St. Vincent and the Grenadines. He is a practising barrister-at-law.

His work experience spans many fields. He has served in the Civil Service of St. Vincent as a Customs Officer (1968-1969); as a Teacher (1969-1970, 1973-1975 and 1976-1978). He also served as the 2<sup>nd</sup> Vice-President of the St. Vincent Union of Teachers (SVUT) (1976-1977) and as the President of the SVUT Co-operative Credit Union Limited (1983-1995).

Mr. Williams has held executive as well as general membership positions in youth, sporting and cultural organizations and is deeply involved in drama productions and the performing arts in St. Vincent and the Grenadines. He was the first Chairman of the Eastern Caribbean Popular Theatre Organisation (ECPTO) 1984-1986, the Founder and a Director of the New Artists Movement (1973) and a member of the Carnival Development Committee (CDC) and producer of numerous shows since 1974. Mr. Williams has written and directed many plays, some of which have been performed regionally. He has also written monographs and essays and presented numerous papers on economics, politics, and social issues.

Mr. Williams has also held the positions of Administrative Coordinator (1982-1988) and Managing Director of Projects Promotions Limited (1988-1995). He served as Secretary and President respectively, of the St. Vincent and the Grenadines Karate Association during the periods 1974-1978 and 1980-1982. He was also Legal Advisor to the Carnival Development Committee and a Member of the Subject Panel for CAPE Law.

Mr. Williams is married and is the father of three children.



**Mrs. Gloria Gray, B.Sc., M.Sc.**

Mrs. Gloria Gray is a citizen of Trinidad and Tobago. She is the holder of a B.Sc. degree in Sociology from the University of the West Indies and a M.Sc. degree in Sociology with specialization in Social Psychology. Mrs. Gray has worked at the University of the West Indies as a full-time Teaching Assistant in General Psychology, Sociological Theory and Criminology and part-time Teaching Assistant in Sociology. She has also worked at UNECLAC in the Social Affairs Unit.

Currently and since 1991, internationally and locally, Mrs. Gray has been involved on a full time basis with Christian Counselling and the Deliverance Ministry, activities aimed at the healing, restoration and growth of those in need. She possesses a good reading knowledge of French and is fluent in Spanish.

Mrs. Gray is married to Arthur A. Gray whose career has spanned the Foreign Service of Trinidad and Tobago, the CARICOM Secretariat (where he occupied the position of Director, Foreign Policy and External Economic Relations) and UNECLAC, from which he retired, as the Regional Economic Adviser.



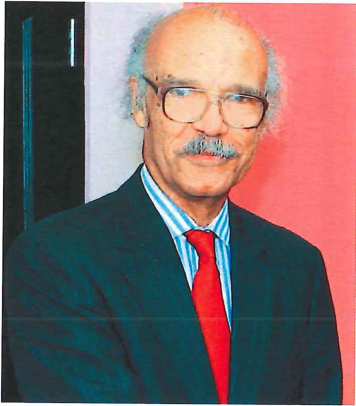


**Ms. Nelcia Robinson, B.Sc.**

Ms. Nelcia Robinson is a national of St. Vincent and the Grenadines. She is of Garifuna/Black Carib descent, and is currently Coordinator of the Caribbean Organisation of Indigenous Peoples. She has extensive experience in community development and knowledge of social issues in the Caribbean, and is the recipient of many awards, including the IICA Award for her contribution to agriculture and rural development. Ms. Robinson is also a member of the Commonwealth Foundation Civil Society Advisory Committee. Prior to her full time involvement in the NGO community, Ms. Robinson worked in senior public administration positions with the Government of St. Vincent and the Grenadines.

Ms. Nelcia Robinson is Coordinator of the Caribbean Association for Feminist Research and Action (CAFRA) and of the Caribbean Gender and Trade Network. A Kellogg Fellow, Ms. Robinson has majored in International Development. She has wide experience in researching the social impact of trade agreements on Caribbean people and Caribbean women especially. She has also been actively involved in activities for the implementation of the Beijing Platform for Action at local, regional and global levels. Ms. Robinson is a community educator, lobbyist and researcher. Her special focus is human rights and economic development.

She is currently Chairperson of the Caribbean Policy Development Center (CPDC), a network of Non-Governmental organisations in the English, Spanish, French and Dutch-speaking Caribbean.



Professor A. Ralph Carnegie, B.A., M.A.

Ralph Carnegie, a Jamaican by birth, is a Professor Emeritus of the University of the West Indies. He was a Rhodes Scholar at Oxford, a Senior Fulbright Scholar at Yale Law School, an Open Scholar at Mona, Jamaica and a graduate studentship awardee at London and later at Oxford.

After six years as an Oxford law don, he spent more than 30 years as a Professor of Law at the University of the West Indies, serving five terms as Dean of the Faculty of Law. He has published legal articles in learned journals including British Year Book of International Law, Year Book of World Affairs, Law Quarterly Review, International and Comparative Law Quarterly, West Indian Law Journal and Caribbean Law Review, an issue of which journal has been published in his honour.

His work has been cited by courts in Australia and Canada. He has also made numerous other scholarly presentations on legal matters in countries across the Commonwealth Caribbean and in the United States, Britain, Canada, Australia, Cyprus, Mauritius and Uruguay.

He has twice lectured in the Inter-American Juridical Committee's annual Curso de Derecho Internacional in Rio de Janeiro. He has been a member of Constitution Review Commissions for Grenada and Antigua and Barbuda, and a consultant to two Constitution Review Commissions in Barbados.

He has served in 2006 on a Technical Working Group established by the CARICOM Heads of Government to report on matters of Community governance, and is also a member of a Task Force on Economic Union for the Organisation of Eastern Caribbean States.

Professor Carnegie is married to Jeniphier Carnegie (née Nevers). They have two sons.



**Dr. Magda Hoever-Venoaks, M.Sc., Ph.D.**

Dr. Magda Renata Hoever-Venoaks, a citizen of the Republic of Suriname, is an Associate Professor in the Department of Law at the Faculty of Social Sciences of the University of Suriname and facilitates courses in Administrative Law and Legislative Theory and Practice.

Dr. Hoever-Venoaks graduated from Teacher Training College in Suriname and from the Social Academy CISCA and the management training of the Netherlands Federation for Elderly Care in the Netherlands. In 1990 she was awarded her Masters degree in Law and commenced working as a Lecturer in Law in the Department of Law at the Faculty of Social Sciences of the University of Suriname.

In 1999 she was awarded a Doctorate (Ph.D.) in Administrative Law from the University of Suriname. Her dissertation is published under the title: "Surinamese civil servants' law in development perspective".

She has written together with L.J.A. Damen, Professor of Law of the University of Groningen, the Netherlands the (first Surinamese) college textbook, "Administrative Law" of which the second edition was published in 2003. She has also written articles for many publications including the Surinamese Jurist Journal, the Syllabus Surinames Environmental Law and the Memorial Book "Moi Wana 10 years Human Rights work in Suriname".

Dr. Hoever-Venoaks is also a member of the Council for the selection and training of members of the Judiciary in Suriname.

Dr. Hoever-Venoaks is married to Stanley Hoever, who is also a lawyer. They have two children.



**The Rt. Hon. Sir Vincent Floissac, C.M.G., O.C., LL.M. (Lond)**

The Right Honourable Sir Vincent Floissac is a former Chief Justice and President of the Court of Appeal of the Eastern Caribbean Supreme Court having served in that capacity from November 1991 to July 1996.

Sir Vincent was St. Lucia's Open island Scholarship winner in 1948. He enrolled at the University College, London University, where he obtained his LL.B degree with Honours in 1951. He then entered the Inns of Court School of Law (Gray's Inn) where he successfully completed the Bar Finals before being called to the Bar of England in 1952. He also obtained his LL.M at the London University in 1953. Sir Vincent practised law in the island of St. Lucia for 37 years between 1953 and 1991 and was a member of the Seychelles Court of Appeal between 1988 and 1991.

Sir Vincent, a former President of the St. Lucia Bar Association, is currently an Honorary Bencher of Gray's Inn, and has been a member of the Judicial Committee of the Privy Council since 1992.

Between 1969 and 1975, Sir Vincent was a nominated Member and Deputy Speaker of the St. Lucia House of Assembly. In 1979 he was installed as the first President of the Senate of St. Lucia.

He was Governor General's Deputy on various occasions in 1983 and 1988, and acted as Governor General of St. Lucia from May 1987 to October 1988.

For his numerous contributions to the legal profession, and his public service, Sir Vincent was awarded Silk in 1969; made a member of the Order of the British Empire in 1973, a Commander of the Order of St. Michael and St. George in 1985 and awarded a Knight Bachelorhood in 1992.

Sir Vincent is married to Lady Marilyn Floissac and they are the parents of twin daughters, Heather and Brenda.



**Mr. Allan Alexander S.C.**

Mr. Allan Alexander is a citizen of Trinidad and Tobago and a Barrister-at-law. He was called to the Bar of England and Wales in September 1959 and was admitted to practise law as a Barrister-at-law in Trinidad and Tobago in January 1960. He accepted silk in July 1980 and has acted as a Judge of the High Court of Trinidad and Tobago.

Mr. Alexander also served as an Independent Senator in the Parliament of Trinidad and Tobago from 1986 to 1991. He was also past President of the Trinidad and Tobago Bar Association, the Law Association of Trinidad and Tobago and the Organisation of Commonwealth Caribbean Bar Associations.

## **5. THE SECRETARIAT OF THE COMMISSION**

- 5.1 During the period under review the support staff of the Commission comprised the Secretary to the Commission, Ms. Paula Pierre, (who is also the Registrar of the Court), the Executive Secretary, Mrs. Mary Barrow and the Messenger/Driver, Mr. Hucliffe Samuel.
- 5.2 In January 2008 the Executive Secretary to the Commission reached the retirement age of sixty-five (65) years but was asked by the Commission to stay on until a replacement could be appointed. The Commission also confirmed that it was its policy to recruit staff at the secretarial level on a regional basis.
- 5.3 The Secretary also put forward a case for administrative level staff for the Secretariat and after discussion the Commission agreed to create and fill the new mid- management post of Executive Assistant to the Commission. This Assistant would provide managerial support to the Registrar/Secretary to the Commission. The Commission settled the terms and conditions of the position.
- 5.4 The position of Clerk to the Commission was also advertised in 2008, the post-holder having resigned with effect from October 2007. Eight hundred and sixty-five applications were received in response to the advertisement which was published only in Trinidad and Tobago. This position was not filled in 2008.
- 5.5 In order to perform their functions and provide administrative support to the Chairman and members of the Commission, the staff of the Commission's Secretariat continued to rely on the services provided by several units of the Court namely, Finance, Protocol, Information Technology, Security and Facilities.



### **THE SECRETARIAT OF THE COMMISSION**

Centre: Ms. Paula Pierre, Secretary to the Commission

Right: Mrs. Mary Barrow, Executive Secretary to the Commission

Left: Mr. Hucliffe Samuel, Driver/Messenger to the Commission

## **6. ACTIVITIES OF THE COMMISSION**

### **6.1 Activities of the Commission during the period under review included:**

- The review of draft Staff Regulations for the Court;
- The settling of terms and conditions for the position of Executive Assistant to the Commission;
- The settling of terms and conditions for the position of Junior Accounting Assistant;
- The selection and appointment of the following personnel for the Court:

<b>POSITIONS</b>
Deputy Court Executive Administrator
Deputy Registrar and Deputy Marshal
Junior Accounting Assistant
Judicial Research Assistant

### **6.2 Staff Regulations**

6.2.1 On August 12, 2008 the Commission appointed four of its members to the Staff Regulations sub-Committee. The members who volunteered for this Committee are Dr. Barnett, Chairman, Mr. C. A. Blazer Williams, Mrs. Gloria Gray and Ms. Nelcia Robinson. The first meeting of the Committee was held on September 20, 2008 and members began their work by reviewing draft Staff Regulations prepared by the Court Executive Administrator. The sub-Committee continued to meet on a regular basis to review research materials and to make amendments to the regulations.

### **6.3 Recruitment and appointment of staff of the Court**

6.3.1 The Selection sub-Committee was mandated by the Commission to select and appoint persons to the positions of Junior Accounting Assistant and Judicial Research Assistant in the Court. The post of Junior Accounting Assistant was advertised in Trinidad and Tobago, only whereas the post of Judicial Research Assistant was advertised regionally. The position of Junior Accounting Assistant was a new post and the Commission first approved the terms and conditions of the post before it was advertised. Three hundred and seventy-five (375) persons applied for the position of Junior Accounting Assistant and forty (40) persons applied for the post of Judicial Research Assistant.

## **11. COMPETITION COMMISSION**

- 11.1 On December 20, 2007 the Chairman and members of the Competition Commission were appointed by the Commission. They are Dr. Kusha Haraksingh (Chairman), Mr. Patterson Cheltenham, Dr. Trevor Farrell, Mr. Hans Lim A Po, Dr. Maureen Paul, Dr. Barton Scotland and Ambassador Stewart Stephenson.
- 11.2 On January 18, 2008 the Chairman and members of the Competition Commission took the oath of office at the Inauguration of the Competition Commission at its headquarters in Suriname. In accordance with Article 172.7 of the Treaty the members took the oath of office before the Right Honourable Mr. Justice Michael de la Bastide, T.C., Chairman of the Commission.



## **12. APPRECIATION OF FORMER COMMISSIONERS**



### **The Rt. Hon. Sir Vincent Floissac, C.M.G., Q.C., LL.M. (Lond)**

- 12.1 Sir Vincent is remembered as one of the founding members of the Commission. He served as a member from August 21, 2003 until his resignation on the grounds of ill-health in November 2008. During that time his contributions to the meetings of the Commission revealed a wealth of knowledge and information which was critical to the development of the early policies and procedures of the Commission.



### **Mr. Anthony Sylvestre, M.B.E.**

- 12.2 The Commission is indebted to Mr. Sylvestre for his contribution to its development during his short period of service.

## **APPENDIX A**

### Meetings of the Regional Judicial and Legal Services Commission

<b>No.</b>	<b>Meeting No.</b>	<b>Dates of Meetings of Commission</b>
1.	45	January 11, 2008
2.	46	February 22, 2008
3.	47	May 16, 2008
4.	48	June 27, 2008
5.	49	August 12, 2008
6.	50	September 19, 2008
7.	51	November 14, 2008
8.	52	December 5, 2008

**APPENDIX B** Attendance of Members at Meetings of the Commission in 2008

Name of Commissioner	Jan 11	Feb 22	May 16	Jun 27	Aug 12	Sep 19	Nov 14	Dec 5
The Rt. Hon. Mr. Justice Michael de la Bastide, T.C.	√	√	√	√	√	√	√	√
Dr. Joseph Archibald, Q.C.	√	X	X	X	√	X	X	X
Dr. the Hon. Lloyd George Barnett, O.J.	√	√	√	√	√	√	√	√
Mr. Anthony Sylvestre, M.B.E.	X	*	*	*	*	*	*	*
±Mr. Rodney Neal, B.Sc., M.Sc.	--	--	--	--	X	X	X	X
Mr. C. A. Blazer Williams, B.A., M.Sc., LL.B.	√	√	√	√	√	√	√	√
Ms. Gloria Gray, B.Sc., M.Sc.	√	√	√	√	√	√	√	√
Ms. Nelcia Robinson, B.Sc.	√	√	√	√	√	√	√	√
Professor A. Ralph Carnegie, B.A., M.A.	√	√	√	√	√	√	√	X
Dr. Magda Hoever-Venoaks, M.Sc., Ph.D.	√	√	√	√	√	√	√	√
jThe Rt. Hon. Sir Vincent Floissac, C.M.G., Q.C., LL.M.	X	X	X	X	X	X	X	*
Mr. Allan Alexander, S.C.	√	√	X	X	√	X	X	X
TOTAL NO. OF MEMBERS WHO ATTENDED	9	8	7	7	9	7	7	6

Key:  
 √ Member attended meeting  
 X Member absent from meeting  
 \* Member resigned  
 -- Not yet appointed a member of the RJLSC  
 ± See paragraph 4.2

**APPENDIX C: Meetings of sub-Committees**

Meetings of Sub-Committees of the Commission were held on the following dates:

<b>No.</b>	<b>Dates of Meetings</b>	<b>Sub-Committee</b>	<b>Purpose</b>
1.	January 10, 2008	Selection sub-Committee	To conduct interviews for the positions of Deputy CEA and Deputy Registrar
2.	February 21, 2008	- do -	To consider report on appointment of Deputy CEA
3.	August 11, 2008	Staff Regulations	To review draft Non-Judicial Staff Regulations
4.	September 10, 2008	Selection	To conduct interviews for the positions of Junior Accounting Assistant and Judicial Research Assistant
5.	September 20, 2008	Staff Regulations	To discuss draft Staff Regulations
6.	November 3, 2008	Pensions	To discuss pension issues with actuary
7.	November 15, 2008	Staff Regulations	To discuss draft Staff Regulations and Court Security (Special Provisions) Rules
8.	December 4, 2008 at 9:30 a.m.	Pensions	To discuss pension issues
9.	December 4, 2008 at 2:00 p.m.	Staff Regulations	To discuss draft Staff Regulations and Court Security (Special Provisions) Rules

**APPENDIX D**

Audited Financial Statements for the year ended December 31, 2008



**Financial Statements of**

**THE REGIONAL JUDICIAL AND LEGAL  
SERVICES COMMISSION**

**December 31, 2008**

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**Auditors' Report to the Commissioners  
of the Regional Judicial and Legal Services Commission**

We have audited the financial statements of The Regional Judicial and Legal Services Commission (the Commission), set out on pages 2 to 17, which comprise the balance sheet as at December 31, 2008, and the statements of income, changes in retained earnings and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory notes.

*Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards. This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and consistently applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

*Auditors' Responsibility*

Our responsibility is to express an opinion on the financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

*Opinion*

In our opinion, the financial statements, which have been prepared in accordance with International Financial Reporting Standards, present fairly, in all material respects, the financial position of the Commission as at December 31, 2008 and of its financial performance, changes in retained earnings and cash flows for the year then ended.

**Chartered Accountants**

**Port of Spain  
Trinidad and Tobago, W.I.  
April 6, 2009**



**THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION**

Balance Sheet

December 31, 2008

	Notes	2008	2007
<b>Assets</b>			
<b>Non-current assets</b>			
Net fixed assets	1	\$ 100,366	126,835
<b>Current assets</b>			
Due from related party	2	2,941,766	3,191,857
Other receivables	3	12,881	148,735
Cash and cash equivalents		88,069	57,883
<b>Total current assets</b>		<b>3,042,716</b>	<b>3,398,475</b>
<b>Total assets</b>		<b>\$ 3,143,082</b>	<b>3,525,310</b>
<b>Accumulated Fund and Liabilities</b>			
<b>Accumulated fund</b>			
Retained earnings		\$ 3,122,082	3,504,310
<b>Current liabilities</b>			
Other payables	5	21,000	21,000
<b>Total current liabilities</b>		<b>21,000</b>	<b>21,000</b>
<b>Total accumulated fund and liabilities</b>		<b>\$ 3,143,082</b>	<b>3,525,310</b>

*The accompanying notes form an integral part of these financial statements*

On behalf of the Regional Judicial and Legal Services Commission

Glori Gray Commissioner

Robinson Commissioner

**THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION**

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**Statement of Income**

For the year ended December 31, 2008

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	Notes		2008	2007
<b>Revenue</b>	6	\$	1,513,876	1,565,570
Administrative expenses	7		<u>(1,896,104)</u>	<u>(1,926,137)</u>
<b>Deficit of expenditure over income for the year</b>		\$	<u>(382,228)</u>	<u>(360,567)</u>

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*The accompanying notes form an integral part of these financial statements*

**THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION**

4

Statement of Changes in Retained Earnings

For the year ended December 31, 2008

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	<u>Retained Earnings</u>
<b>Year ended December 31, 2007</b>	
Balance as at January 1, 2007	\$ 3,864,877
Deficit of expenditure over income for the year	<u>(360,567)</u>
Balance as at December 31, 2007	\$ <u>3,504,310</u>
<b>Year ended December 31, 2008</b>	
Balance as at January 1, 2008	\$ 3,504,310
Deficit of expenditure over income for the year	<u>(382,228)</u>
<b>Balance as at December 31, 2008</b>	<b>\$ <u>3,122,082</u></b>

*The accompanying notes form an integral part of these financial statements*

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**THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION**

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## Statement of Cash Flows

For the year ended December 31, 2008

	2008	2007
<b>Cash Flows from Operating Activities</b>		
Deficit of expenditure over income for the year	\$ (382,228)	(360,567)
Adjustments to reconcile deficit of expenditure over income for the year to net cash from (used in) operating activities:		
Depreciation	51,284	94,693
Amortisation of deferred income	-	(51,715)
Due from related party	250,091	397,075
Other receivables	135,854	(135,265)
Other payables	-	5,675
<b>Net cash from (used in) operating activities</b>	<u>55,001</u>	<u>(50,104)</u>
<b>Cash Flows from Investing Activities</b>		
Purchase of fixed assets	<u>(24,815)</u>	<u>(163,513)</u>
<b>Net cash used in investing activities</b>	<u>(24,815)</u>	<u>(163,513)</u>
Increase (decrease) in cash and cash equivalents for the year	30,186	(213,617)
Cash and cash equivalents at the beginning of the year	<u>57,883</u>	<u>271,500</u>
<b>Cash and cash equivalents at the end of the year</b>	<u>\$ 88,069</u>	<u>57,883</u>
<b>Analysis of cash and cash equivalents</b>		
Cash and cash equivalents	<u>\$ 88,069</u>	<u>57,883</u>

*The accompanying notes form an integral part of these financial statements*

Notes to Financial Statements

December 31, 2008

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**Establishment and principal activity**

The Caribbean Court of Justice (the Court) and the Regional Judicial and Legal Services Commission (the Commission) were established on 14<sup>th</sup> February 2001 by the Agreement Establishing the Caribbean Court of Justice (the Agreement). The Agreement was signed on that date by the following Caribbean Community (Caricom) states of Antigua & Barbuda, Barbados, Belize, Grenada, Guyana, Jamaica, St. Kitts & Nevis, St. Lucia, Suriname and Trinidad & Tobago. Two further states, Dominica and St. Vincent & The Grenadines, signed the agreement on 15<sup>th</sup> February 2003, bringing the total number of signatories to 12.

The Court was inaugurated on April 16, 2005 in Port of Spain, Trinidad and Tobago.

The first Commission came into force on August 21, 2003 and works to ensure that the Court meets and fully satisfies the expectations and needs of the people it serves. The functions of the Commission include:

- Appointment of judges of the Court, other than the President;
- Appointment of officials and employees of the Court;
- Determination of the terms and conditions of service of officials and employees;
- Termination of appointments in accordance with the provisions of the Agreement;
- Exercise of disciplinary control over judges other than the President, and over officials and employees of the Court; and
- Appointment of members of the Community Competition Commission.

The Court is the highest judicial tribunal, designed to be more than a Court of last resort for member states of the Caribbean Community. For, in addition to replacing the Judicial Committee of the Privy Council, the Court is vested with an original jurisdiction in respect of the interpretation and application of the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the Caricom Single Market and Economy. The Court is designed to exercise both an appellate and an original jurisdiction.

These financial statements were approved for issue by the Commissioners on April 6, 2009.

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Notes to Financial Statements

December 31, 2008

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**Significant accounting policies**

**(a) Statement of compliance**

These financial statements have been prepared in accordance with the International Financial Reporting Standards ("IFRSs") and its interpretations issued and adopted by the International Accounting Standards Board.

**(b) Basis of preparation**

These financial statements have been prepared on the historical cost basis.

**(c) Functional and reporting currency**

The financial statements are presented in Trinidad and Tobago dollars which is the Commission's functional currency.

**(d) Use of estimates**

The preparation of these financial statements in conformity with IFRSs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results could differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

In particular, information about significant areas of estimation uncertainty and critical judgements in applying accounting policies that have the most significant effect on the amount recognised in the financial statements are described in the notes.

**(e) Fixed assets**

Fixed assets are stated at cost less accumulated depreciation and impairment losses. The Commission recognizes in the carrying amount of an item of fixed assets, the cost of replacing part of such an item when that cost is incurred if it is probable that the future economic benefits embodied with the item will flow to the Commission and the cost of the item can be measured reliably.

All other costs are recognised in the income statement as an expense as incurred.

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Notes to Financial Statements

December 31, 2008

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**Significant accounting policies (continued)**

**(e) Fixed assets (continued)**

When parts of an item of fixed assets have different useful lives, those components are accounted for as separate items of fixed assets.

Depreciation is charged using the straight line method at the rate of 25% which is designed to write off the cost of the assets over their estimated useful lives:

**(f) Other receivables**

Other receivables are stated at cost less impairment losses. Impairment losses include any specific provision established to recognize anticipated losses for bad and doubtful debts. Bad debts are written off during the period in which they are identified.

**(g) Cash and cash equivalents**

For the purposes of the statement of cash flows, cash and cash equivalents comprise cash at hand and in bank.

**(h) Other payables**

Other payables are stated at amortised cost.

**(i) Provisions**

A provision is recognised in the balance sheet when the Commission has a present legal or constructive obligation as a result of a past event, and it is probable that an outflow of economic benefits will be required to settle the obligation. If the effect is material, provisions are determined by discounting the expected future cash flows at a pre-tax rate that reflects current market assessments at the time value of money and, where appropriate, the risks specific to the liability.

**(j) Revenue recognition**

**Funds from the Caribbean Court of Justice Trust Fund**

Unconditional funding related to the ongoing operations of the Commission is recognised in the statement of income as revenue in the period in which the funds are received.

**Grants**

Grants that compensate the Commission for expenses incurred are recognised as revenue in the statement of income on a systematic basis in the same periods in which the expenses are incurred. Grants that compensate the Commission for the cost of an asset are recognised in the statement of income as revenue on a systematic basis over the life of the asset.

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## Notes to Financial Statements

December 31, 2008

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**Significant accounting policies (continued)****(k) Impairment**

The carrying amounts of the Commission's assets, other than fixed assets and inventories, are reviewed at each balance sheet date to determine whether there is any indication of impairment. If such an indication exists, the asset's recoverable amount is estimated.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the income statement.

The recoverable amount of other assets is the greater of their net selling price and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset. For an asset that does not generate largely independent cash inflows, the recoverable amount is determined for the cash-generating unit to which the asset belongs.

An impairment loss is reversed if there has been a change in the estimates used to determine the recoverable amount. An impairment loss is reversed only to the extent that the asset's carrying amount does not exceed the carrying amount that would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised.

**(l) Foreign currency transactions**

Transactions in foreign currencies are translated to the respective functional currency of the Commission at exchange rates at the dates of the transactions. Monetary assets and liabilities denominated in foreign currencies at the reporting date are retranslated to the functional currency at the exchange rate at that date. The foreign currency gain or loss on monetary items is the difference between amortised cost in the functional currency at the beginning of the period, adjusted for effective interest and payments during the period, and the amortised cost in foreign currency translated at the exchange rate at the end of the period. Non-monetary assets and liabilities denominated in foreign currencies that are measured at fair value are retranslated to the functional currency at the exchange rate at the date that the fair value was determined.

Foreign currency differences arising on retranslation are recognised in profit or loss, except for differences arising on the retranslation of available-for-sale equity instruments or a financial liability designated as a hedge of the net investment in a foreign operation.

**(m) Taxation**

Pursuant to the terms of an agreement entered into on July 4, 2003 between the Commission and the Government of the Republic of Trinidad and Tobago, the Commission is exempt from all direct and indirect taxes, duties and levies imposed in Trinidad and Tobago.

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## Notes to Financial Statements

December 31, 2008

**1. Net fixed assets**

	Library Books	Furniture Fittings, Computers and Equipment	Vehicles	Total
<b>Cost of valuation</b>				
At January 1, 2008	\$ -	215,257	163,513	378,770
Additions	<u>24,815</u>	-	-	<u>24,815</u>
At December 31, 2008	<u>\$ 24,815</u>	<u>215,257</u>	<u>163,513</u>	<u>403,585</u>
<b>Accumulated depreciation</b>				
At January 1, 2008	\$ -	211,056	40,879	251,935
Charge for the year	<u>6,204</u>	<u>4,201</u>	<u>40,879</u>	<u>51,284</u>
At December 31, 2008	<u>\$ 6,204</u>	<u>215,257</u>	<u>81,758</u>	<u>303,219</u>
<b>Net book value</b>				
At December 31, 2007	\$ -	<u>4,201</u>	<u>122,634</u>	<u>126,835</u>
At December 31, 2008	<u>\$ 18,611</u>	<u>-</u>	<u>81,755</u>	<u>100,366</u>

**2. Due from related party**

	2008	2007
The Caribbean Court of Justice (CCJ)	\$ <u>2,941,766</u>	<u>3,191,857</u>

Amounts due from the CCJ are interest free, with no fixed repayment terms.

**3. Other receivables**

VAT recoverable	\$ 12,550	26,745
Other receivables	<u>331</u>	<u>121,990</u>
	<u>\$ 12,881</u>	<u>148,735</u>

## Notes to Financial Statements

December 31, 2008

**4. Deferred Income**

	UNDP	Office of the Attorney General	Total
<b>Year ended December 31, 2007</b>			
Balance at January 1, 2008	\$ -	51,715	51,715
Amount of deferred Income	-	(51,715)	(51,715)
Balance at December 31, 2008	\$ -	-	-

The deferred income related to:

- a grant of fixed assets from the Office of the Attorney General; and
- cash grants received from the UNDP which was available for set off against future expenses.

As at December 31, 2008 all deferred income was amortised.

**5. Other payables**

	2008	2007
Accruals	\$ 21,000	21,000

**6. Revenue**

	2008	2007
Funds received from the Caribbean Court Of Justice Trust Fund	\$ 1,512,000	1,512,000
Amortisation of deferred income	-	51,715
Interest income	1,876	1,855
	\$ 1,513,876	1,565,570

## Notes to Financial Statements

December 31, 2008

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<b>7. Administrative expenses</b>		
Salaries and allowances	\$ 219,904	252,034
Depreciation	51,284	94,693
Administrative expenses	962,226	605,290
Commission and recruitment expenses	637,060	936,092
Audit fees	21,000	33,764
Bank charges	4,630	4,264
	\$ <u>1,896,104</u>	<u>1,926,137</u>

**8. Financial instruments**

The following summarises the major methods and assumptions used in estimating the fair values of financial instruments.

*Other receivables and payables*

For receivables and payables with a remaining life of less than one year, the notional amount is deemed to reflect the fair value. All other receivables and payables are discounted to determine the fair value. A financial instrument is any contract that gives rise to both a financial asset and a financial liability or equity instrument of another enterprise. For the purposes of these financial statements, financial assets have been determined to include due from related party, other receivables, and cash and cash equivalents. Financial liabilities have been determined to include other payables.

The Commission has exposure to the following risks from its use of financial instruments:

- Credit risk
- Liquidity risk
- Market risk

*Credit risk*

Exposure to credit risk is monitored on an ongoing basis by management. The maximum exposure to credit risk is represented by the carrying amount of the financial asset on the balance sheet. The maximum exposure to credit risk at year end was:

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## Notes to Financial Statements

December 31, 2008

**8. Financial instruments (cont'd)**

	<u>2008</u>	<u>2007</u>
Due from related party	\$ 2,941,766	3,191,857
Other receivables	12,881	148,735
Cash and cash equivalents	<u>88,069</u>	<u>57,883</u>
	<u>\$ 3,042,716</u>	<u>3,398,475</u>

There were no impairment losses recognised during the year (2007 : Nil)

*Liquidity risk*

The Commission manages its liquidity risk by maintaining cash to meet its cash obligations as they fall due.

The following is the contractual maturity of the financial liability:

	<u>2008</u>	<u>2007</u>
Other payables	\$ <u>21,000</u>	<u>21,000</u>

*Market risk*

Market risk arises in the normal course of business and encompasses the risk of earnings that arises from changes in foreign exchange rates, interest rates and equity prices.

*(a) Foreign currency risk*

The Commission incurs significant foreign currency risk on purchases that are denominated in a currency other than the Trinidad and Tobago dollar. The currency giving rise to this risk is primarily the United States dollar. The Commission's exposure was as follows:

	<u>2008</u>	<u>2007</u>
Cash and cash equivalents	US\$ <u>9,382</u>	<u>6,857</u>

## Notes to Financial Statements

December 31, 2008

**8. Financial instruments (cont'd)***Market risk (cont'd)**(b) Foreign currency risk (cont'd)*

The exchange rate of the United States dollar to the Trinidad and Tobago dollar at year end was as follows:

At December 31, 2008: TT\$6.30

At December 31, 2007: TT\$6.30

*Sensitivity analysis:*

A 1% strengthening of the Trinidad and Tobago dollar against the United States dollar at year end would not have had a significant impact on the Commission's deficit.

*(c) Interest rate risk*

Interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in the market interest rates.

At year end, the interest rate profile of the Commission's interest bearing instrument was:

	<u>2008</u>	<u>2007</u>
Fixed rate instrument Financial asset	\$ <u>71,791</u>	<u>33,356</u>

*Estimation of fair values*

Fair value amounts represents estimates of the arm's length consideration that would be currently agreed upon between knowledgeable and willing parties who are under no compulsion to act and is best evidenced by a quoted market price if one exists. The estimated fair value of the Commission's financial instruments is based on the market prices and valuation methodologies.

**9. Capital management**

The Commission has no formal policy in regards to the management of its retained earnings. There are no statutory requirements with respect to capital maintenance.

## Notes to Financial Statements

December 31, 2008

**10. New standards adopted**

During the year, certain new standards, interpretations and amendments to the existing standards became effective. Management has assessed that the IFRS 7 *Financial Instruments: Disclosures* and amendment to IAS 1 *Presentation of Financial Statements – Capital Disclosures* (effective January 1, 2007) were the only pronouncements relevant to preparation of these financial statements. Appropriate disclosures, together with comparatives are incorporated into these financial statements.

**11. IFRS not yet effective**

At the date of authorisation of the financial statements, there were certain standards and interpretations which were in issue but were not yet effective. The effective dates of those standards and interpretations are as follows:

IFRS 2	Share-Based Payment – Amendment relating to Vesting Conditions and Cancellations	January 1, 2009
IFRS 3	Business Combinations – Comprehensive revision on applying the Acquisition Method	July 1, 2009
IFRS 5	Non-current Assets Held for Sale and Discontinued Operations – Amendments resulting from May 2008 Annual Improvements to IFRSs	July 1, 2009
IFRS 8	Operating Segments	January 1, 2009
IFRIC 15	Agreements for the Construction of Real Estate	January 1, 2009
IAS 1	Amendment: Presentation of Financial Statements - Comprehensive revision including requiring a Statement of Comprehensive Income	January 1, 2009
IAS 1	Amendment: Presentation of Financial Statements - Amendments relating to disclosure of puttable instruments and obligations arising on liquidation	January 1, 2009
IAS 16	Property, Plant and Equipment - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 19	Employee Benefits - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 20	Government Grants and Disclosure of Government Assistance - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009

## Notes to Financial Statements

December 31, 2008

**11. IFRS not yet effective (cont'd)**

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IAS 23	Amendment: Borrowing Costs – Capitalisation of Borrowing Costs	January 1, 2009
IAS 23	Borrowing Costs - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 27	Consolidated and Separate Financial Statements – Consequential Amendments arising from Amendments to IFRS 3	July 1, 2009
IAS 27	Consolidated and Separate Financial Statements – Amendment relating to cost of an investment on first-time adoption	January 1, 2009
IAS 27	Consolidated and Separate Financial Statements – Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 28	Investments in Associates – Consequential Amendments arising from Amendments to IFRS 3	July 1, 2009
IAS 28	Investments in Associates - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 29	Financial Reporting in Hyperinflationary Economies - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 31	Interest in Joint Ventures - Consequential Amendments arising from Amendments to IFRS 3	July 1, 2009
IAS 31	Interests in Joint Ventures - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 32	Financial Instruments : Presentation - Amendments relating to puttable instruments and obligations arising on liquidation	January 1, 2009
IAS 36	Impairment of Assets - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 38	Intangible Assets - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009

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**Supplementary Financial Information**

**THE REGIONAL JUDICIAL AND LEGAL  
SERVICES COMMISSION**

**December 31, 2008**

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Notes to Financial Statements

December 31, 2008

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**11. IFRS not yet effective (cont'd)**

IAS 39	Financial Instruments: Recognition and Measurement - Amendments for eligible hedged items	July 1, 2009
IAS 40	Investment Property - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009
IAS 41	Agriculture - Amendments resulting from May 2008 Annual Improvements to IFRSs	January 1, 2009

Except for additional disclosures, the adoption of these standards and interpretations is not expected to have a material impact on the financial statements.

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**Independent Auditors' Report On  
The Supplementary Financial Information**

**To: The Commissioners of the  
Regional Judicial and Legal Services Commission**

We have audited the financial statements of the Regional Judicial and Legal Services Commission for the year ended December 31, 2008, and have issued our report thereon dated April 6, 2009.

We conducted our audits in accordance with International Standards on Auditing, issued by the International Federation of Accountants. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements.

We conducted our audits for the purpose of expressing an opinion on the financial statements of the Commission taken as a whole. The accompanying supplementary financial information, set out on pages 19 to 20, consisting of the balance sheet and statement of income, is presented for the purpose of additional analysis and should not be considered necessary to the presentation of the basic financial statements. This information has been subjected to the audit procedures applied to the basic financial statements and, in our opinion, is fairly presented, in all material respects, when taken as a whole with the basic financial statements.

**Chartered Accountants**

**Port of Spain  
Trinidad & Tobago, W.I.  
April 6, 2009**

## Balance Sheet

December 31, 2008

*(Expressed in United States Dollars)*

	2008	2007
<b>Assets</b>		
<b>Non-current assets</b>		
Net fixed assets	\$ 15,931	20,133
<b>Current assets</b>		
Due from related party	466,947	506,644
Other receivables	2,045	23,609
Cash and cash equivalents	13,979	9,188
<b>Total current assets</b>	<b>482,971</b>	<b>539,441</b>
<b>Total assets</b>	<b>\$ 498,902</b>	<b>559,574</b>
<b>Reserves and Liabilities</b>		
Retained earnings	\$ 495,569	556,241
<b>Current liabilities</b>		
Other payables	3,333	3,333
<b>Total current liabilities</b>	<b>3,333</b>	<b>3,333</b>
<b>Total reserves and liabilities</b>	<b>\$ 498,902</b>	<b>559,574</b>

Translation Rate used - US\$1.00:TT\$6.30

**THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION**

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**Statement of Income**

**For the year ended December 31, 2008**

*(Expressed in United States Dollars)*

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	2008	2007
Revenue	\$ 240,298	248,503
Administrative expenses	<u>(300,969)</u>	<u>(305,736)</u>
<b>Deficit of expenditure over income for the year</b>	<b>\$ <u>(60,671)</u></b>	<b><u>(57,233)</u></b>

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