

ANNUAL REPORT



REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION



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, 2013



TABLE OF CONTENTS	Page
1. Definition of Terms	5
2. Introduction	6
3. Functions of the Commission	7
4. Composition of the Commission	8
5. Activities of the Commission	11
6. Staff of the Commission	16
7. Projected and Actual Expenditure of the Court and Commission	18
8. Interaction with the Trustees and the Trust Fund	20
9. Matters of Note	20
10. Message from the Chairman	22
11. Feature on Dominica	23
12. Snapshots of 2013	27
13. Through the Years	29
14. In Appreciation	31
15. In Memoriam	31
Appendices:	
Appendix A: Meetings of the Commission in 2013	32
Appendix B: Attendance of Members at Commission Meetings in 2013	32
Appendix C: Meetings of Committees of the Commission in 2013	34
Appendix D: Members of the Committees of the Commission in 2013	36
Appendix E: Audited Financial Statements of the Commission for the year ended December 31, 2013	38

**THE CHAIRMAN AND MEMBERS OF
THE REGIONAL JUDICIAL AND LEGAL SERVICES
COMMISSION**



Seated Left to Right: Professor Harold Lutchman, B.Sc., M.Sc., LL.B., Ph.D.; Mrs. Cynthia Williams, B.S.; the Rt. Hon. Sir Charles Dennis Byron (**Chairman**); the Hon. Dame Justice Janice Pereira; Dr. the Hon. Lloyd George Barnett, O.J. (**Deputy Chairman**)

Standing Left to Right: Mr. Martin Daly, S.C.; Mr. Emile Ferdinand, Q.C.; Dr. Peter Maynard, Ph.D.; Mr. Evaristus Jn Marie; Sir Fred Gollop, K.A., Q.C.

Missing: Ms. Jennifer Astaphan, LL.M.

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 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 2013 marked the **10th anniversary of the Commission**. The first members of the Regional Judicial and Legal Services Commission were appointed on August 8, 2003 and the first meeting was held later that month.
- 2.3 During the year the Commission initiated a process of reform in administrative and financial management.
- 2.4 In its 2009 Annual Report, the Commission began a series of features on the Contracting Parties to the Agreement and the members of the Commission and the Court who are nationals of the featured CARICOM State. In this year’s report the Contracting Party featured is the Commonwealth of Dominica.

3. FUNCTIONS OF THE COMMISSION

3.1 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.”

3.2 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.

3.3 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. COMPOSITION OF THE COMMISSION

- 4.1 The year 2013 was one of major change in the composition of the Commission. Five (5) new Commissioners were appointed during this year. The term of office of four (4) Commissioners came to an end and in addition, there were two (2) re-appointments.
- 4.2 On January 1, 2013, Mrs. Cynthia Williams, B.S., Chairman of the Public and Police Service Commission of St. Kitts and Nevis, was appointed for a period of two (2) years as a Commissioner pursuant to Article V.1(d) of the Agreement to replace Mr. Egbert Lionel, M.A., Chairman of the Public Service Commission of St. Lucia whose term of office as a Commissioner had expired.
- 4.3 On August 20, 2013, Dr. Peter Maynard, Ph.D., of the Commonwealth of the Bahamas was appointed for a period of three (3) years to replace Dr. Joseph Archibald, Q.C., pursuant to Article V.1(b) of the Agreement. On that same date, Deputy Chairman of the Commission, Dr. the Hon. Lloyd Barnett, O.J., of Jamaica was re-appointed for a further period of three (3) years pursuant to Article V.1(b) of the Agreement.
- 4.4 On October 29, 2013, the Hon. Justice Peter Williams of Barbados and Mr. Tyrone Chong, Q.C. of Jamaica and St. Lucia were jointly nominated for a period of three (3) years pursuant to Article V.1(f) of the Agreement, to replace Professor Harold Lutchman, B.Sc., M.Sc., LL.B., Ph.D., of Guyana and Sir Fred Gollop, K.A., Q.C., of Barbados. Mr. Chong will be sworn in at the first meeting of the Commission to be held in 2014.
- 4.5 On November 19, 2013, Mrs. Jacqueline Marshalleck of the Commonwealth of the Bahamas and Belize was appointed for a period of three (3) years to replace Mr. Emile Ferdinand, Q.C., pursuant to Article V.1(g) of the Agreement. On that same date, Mr. Martin Daly, S.C., of Trinidad and Tobago, was re-appointed for a further period of three (3) years pursuant to Article V.1(g) of the Agreement.
- 4.6 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.”

4.7 The following table shows the persons who served as members of the Commission in 2013, the effective dates of their appointment and the basis on which the appointment was made.

Date of Appointment	Name of Commissioner	Basis for Appointment	Relevant paragraph of Article V.1
September 1, 2011	The Rt. Hon. Sir Charles Dennis Byron	President of the Court	(a)
September 12, 2003 [Re-appointed August 20, 2013] August 20, 2013 July 7, 2006	Dr. the Hon. Lloyd George Barnett, O.J. Dr. Peter Maynard, Ph.D. Dr. Joseph Archibald, Q.C.	Nominated jointly by OCCBA & OECS Bar Associations	(b)
September 11, 2012	The Hon. Dame Justice Janice Pereira	Chairman, Judicial Service Commission of Dominica	(c)
January 1, 2013	Mrs. Cynthia Williams, B.S.	Chairman, Public and Police Service Commission of St. Kitts and Nevis	(d)
November 6, 2012 [both]	Mr. Evaristus Jn. Marie Ms. Jennifer Astaphan, LL.M.	Nominated jointly by the Secretary-General of the Community and the Director-General of the OECS	(e)

Date of Appointment	Name of Commissioner	Basis for Appointment	Relevant paragraph of Article V.1
October 29, 2013 [both]	The Hon. Justice Peter Williams, CHB Mr. Tyrone Chong, Q.C.	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)
October 29, 2010 [both]	Professor Harold Lutchman, B.Sc., M.Sc., LL.B., Ph.D. Sir Fred Gollop, K.A., Q.C.	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)
November 19, 2013 November 19, 2013 November 19, 2010	Mr. Martin Daly, S.C. Mrs. Jacqueline Marshalleck Mr. Emile Ferdinand, Q.C.	Nominated by the Bar or Law Associations of the Contracting Parties	(g)

4.8 The following table shows the membership of the Commission as reconstituted in 2013, the date of expiration of the term of office and the nationality of each member.

Name of Commissioner	Nationality	Date of Expiration of Term of Office
The Rt. Hon. Sir Charles Dennis Byron	St. Kitts and Nevis / Antigua and Barbuda / St. Lucia	August 31, 2018
Dr. the Hon. Lloyd George Barnett, O.J.	Jamaica	August 19, 2016
Dr. Peter Maynard, Ph.D.	Commonwealth of the Bahamas	August 19, 2016
The Hon. Mme. Justice Janice Pereira	British Virgin Islands	September 10, 2015
Mrs. Cynthia Williams, B.S.	St. Kitts and Nevis	December 31, 2014

Name of Commissioner	Nationality	Date of Expiration of Term of Office
Mr. Evaristus Jn. Marie	St. Lucia	November 5, 2015
Ms. Jennifer Astaphan, LL.M.	Commonwealth of Dominica	November 5, 2015
The Hon. Justice Peter Williams, CHB	Barbados	October 28, 2016
Mr. Tyrone Chong, Q.C.	Jamaica / St. Lucia	October 28, 2016
Mr. Martin Daly, S.C.	Trinidad and Tobago	November 18, 2016
Mrs. Jacqueline Marshalleck	Commonwealth of the Bahamas / Belize	November 18, 2016

5. ACTIVITIES OF THE COMMISSION

- 5.1 In 2013 the Commission worked assiduously in order to fulfill the requirements of the 2011 Governance, Accountability and Independence Report and the Financial Diagnostic Review so as to enable the Commission and the Court to maximize their effectiveness.
- 5.2 There were five (5) meetings of the Commission in 2013. The Commission's third meeting of the year was held in Barbados, marking the third time the Commission had held a meeting outside of Trinidad and Tobago and the second time that the Commission had held a meeting in Barbados.
- 5.3 Committees of the Commission met on a record thirty-three (33) occasions, more than twice the number of any other year in the Commission's ten-year history. Of the thirty-three (33) Committee meetings, eight (8) were held 'on the day(s) preceding or following the day of a Commission meeting'. The dates on which meetings of the Commission and its 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**. Members of Committees of the Commission are listed at **Appendix D**.
- 5.2 **Human Resources and Selection Committee.** Further to its resolution in 2012 to prioritize the importance of the Court's human resource, in 2013 the Commission created the Human

Resources and Selection Committee (HRSC). Previously, the Commission had formed a Selection Committee for the purpose of conducting interviews for the appointment of personnel to the Court and Commission. The HRSC now incorporated the role of the Selection Committee, but was tasked with a much wider scope of duties. Inter alia, the mandate of the HRSC was to monitor the implementation of the policies and decisions of the Commission in relation to Human Resource matters. The Committee was also tasked with recommending for the approval of the Commission the salary compensation structure of the Court and the Commission and the Terms and Conditions of employment of staff. In its bid to fulfill its mandate, the Committee met on twelve (12) occasions between April and December 2013. In the absence of a Human Resources Manager (HRM) this Committee had to undertake the task of dealing with the human resources challenges of both organizations.

5.3 Staffing of the Court and Commission

- 5.3.1 In January 2013, a vacancy was created in the Registry with the resignation of the Deputy Registrar. The Commission had decided that where possible the filling of vacant posts would be delayed to facilitate the restructuring of the staff of the Court and the Commission. This resulted in the deferment of the employment of a Deputy Registrar of the Court and the suspension of the recruitment process which had begun.
- 5.3.2 In 2012 the Commission had approved the creation of the position of Legal Officer in the Office of the President. However, the position had not been filled and the Court's President spent his first two (2) years in office without this assistance. In 2013, the Commission approved the secondment of Dr. Leighton Jackson, Legal Officer in the Office of the President, from the University of the West Indies for a period of one (1) year, effective July 19, 2013.
- 5.3.3 In 2011, both Judicial Research Assistants of the Court had resigned. In keeping with Article V.8 of the Agreement, the Commission had delegated to the Registrar, the recruitment and appointment of Ms. Alicia Dixon and Mrs. Ria Mohammed Davidson as Judicial Research Assistants. They both assumed duty on August 2, 2013.
- 5.3.4 In September of 2013, the Commission approved the provision of technical assistance to the CCJ by the Eastern Caribbean Supreme Court (ECSC) in the person of Mr. Gregory Girard, for the period of the 3-month financial consultancy and in the absence of the Court Executive Administrator (CEA) who had proceeded on Vacation Leave. The Commission also approved that he act as CEA during this period.
- 5.3.5 Upon the retirement of the Registrar on August 30, 2013, bearing in mind the proposed restructuring of the Court in general and the Registry in particular, the Commission took the decision to defer the filling of the post of Registrar. In the interim, Dr. Leighton Jackson, Legal Officer in the Office of the President, was appointed to act as Registrar as from October 7, 2013 and until the end of his tenure in July 2014 or until a new Registrar is appointed.

- 5.3.6 The contract of Court Security Manager Mr. Cyril Bernard which had expired in November 2012 had been extended for another year. In 2013, the Commission's Human Resources and Selection Committee (HRSC) advertised to fill the position and the contract of the Court Security Manager was again extended until such time that this position is filled. Interviews were scheduled to be conducted in early 2014.
- 5.3.7 The 2011 Governance, Accountability and Independence Report confirmed previous expert opinion that the absence of a Human Resources Manager (HRM) was a source of weakness in the administration of the Court and the Commission. Accordingly, the Commission decided to create such a post. The HRSC was thus given the task of recruiting a Human Resources Manager. The Commission had authorized the HRSC's enlisting of a specialist to develop the terms of reference of the HRM. The HRM would be an employee of the Commission and report directly to the Commission via the HRSC with the principal role of providing professional and advisory service to the Commission as well as to officers and employees of the Court and Commission. The prospective candidate would also be responsible for formulating and implementing strategies for HR management. In September of 2013, the position was advertised regionally and interviews held in November. It is expected that an offer will be made and the position filled in early 2014.
- 5.3.8 With the exception of the appointments outlined, the Commission suspended recruitment to take the opportunity to examine the current staffing status of the Court.
- 5.3.9 Staff training was also suspended in mid-2013 in order to evaluate the financial implications *vis-à-vis* the benefits to the Court.
- 5.3.10 In 2013, the Commission ensured the completion of the process of appointment of all Court Security Officers, removing them from contractual arrangements.
- 5.4 Financial Oversight Committee / Joint Consultative Committee.** Resulting from the 2011 Governance, Accountability and Independence Report, this Committee had been formed in 2012 initially as the Joint Consultative Committee to facilitate a collaborative relationship between the Commission, the Court and the Trust Fund, comprising two (2) representatives from each organization. The organizations were individually and jointly determined to continuously develop a constructive, efficient and collaborative approach to strategic planning, budgeting and cooperation which recognizes the individual capabilities of each institution without sacrificing their specific obligations and independence. During 2013, the name of the Committee was changed to the Financial Oversight Committee, to more accurately reflect its charter. The Committee was the driving force behind the conducting of a financial consultancy designed to alert the Court and the Commission wherever financial irregularities existed. This consultancy produced the Financial Diagnostic Review comprising a policy and procedure manual to guide the policies and operations of the Court, especially with respect to expenditure and procurement.

- 5.5 Pensions Committee.** After years of hard work and the trial of various permutations, in mid-2013, the Pensions Committee, under the chairmanship of Dr. Lloyd Barnett and in consultation with the Court, the Trust Fund and an external Actuary finally completed the non-Judicial Staff Pension Rules. The Plan was approved by the Commission at its meeting of July 19, 2013 and came into effect on August 1, 2013. After distribution of the Rules to all employees for review, the Committee met with employees of the Court and Commission on July 18, 2013 to present the Plan and answer questions on it. All eligible employees became members of the non-Judicial Staff Pension Plan in 2013.
- 5.6 Pension Administration Committee.** The non-Judicial Staff Pension Rules provides for the regulation of the Pension Plan by a Pension Administration Committee (PAC) comprised of a Chairman and Secretary appointed by the Commission, a nominee of the President of the Court, a representative nominated by the CCJ Trust Fund, a representative nominated by the staff of the Commission and one representative nominated by the staff of the Court. A special feature of the Pension Plan is the taking advantage of the fact that the expenses of the Court and the Commission are funded by the CCJ Trust Fund, so that instead of establishing a separate pension trust scheme, a notional fund is maintained with prescribed investment indices being used to calculate the accretions to the pension contribution. The Commission approved the engagement of Actuaries Bacon Woodrow and de Souza as administrators of the Plan. The inaugural meeting of the PAC was held on September 30, 2013.
- 5.7 Judges' Pension Rules.** On December 21, 2012, the Commission had resubmitted to CARICOM a reformulated draft of the proposed Judges' Pension Rules. This draft adopted the suggestions made by the Member States with respect to the previous draft which had been submitted by the Commission some years earlier. The new draft also addressed queries raised by the Member States. As a result of constant follow-up by the Commission's staff, in April 2013, CARICOM General Counsel advised that an update of developments on these Rules would be submitted to the Commission. In July 2013, the CARICOM Secretariat advised that the proposed Rules had been referred to the Council of Finance and Planning (COFAP) and would then be submitted to the Heads of Government for approval. However, at the end of 2013 there was still no decision on the Judges' Pension Rules.
- 5.8 Protocol for the Interfacing and Interaction of the Commission, the Court and the Trust Fund.** The Protocol for the Interfacing and Interaction of the Commission, the Court and the Trust Fund had expired in January 2010 and had not been renewed since, despite much effort by all Parties involved. The expired Protocol was therefore used in 2013, during which time all three (3) entities continued to work towards the settlement of a new Protocol.
- 5.9 Protocol for the Security of Tenure of Members of the Commission.** In 2008, the Commission had made a proposal to amend the Protocol to the Agreement Establishing the Caribbean Court of Justice relating to the Security of Tenure of the Commissioners. This matter had been given attention by the CARICOM Secretariat in 2012 and in February 2013, CARICOM General Counsel advised that the matter was slated to be discussed at the meeting of CARICOM's Council for

Trade and Economic Development (COTED) to be held on May 2-3, 2013. It had been expected that a decision would have been arrived at by the end of 2013, but this matter remains pending.

5.10 Draft Regulations of the RJLSC. The draft Regulations of the RJLSC have been in draft form since the inception of the Commission in 2003. A Committee was appointed in 2013 to bring this matter to completion. This document will require much thought and several months to complete.

5.11 Proposed Amendments to the Agreement / Restructuring of the Court and Commission.

5.11.1 In keeping with its decision to restructure the staff establishment of the Court and the Commission, the Commission formed a Committee of its members to review the Agreement and determine if and where amendments needed to be proposed. The first matter to be addressed is that of the Registrar of the Court being Secretary to the Commission. The Acting Registrar has been requested to draft the new post structure of Registrar.

5.11.2 In 2011, the Commission had written to CARICOM proposing that Article XXVII.I be amended to include the positions of Court Executive Administrator (CEA) and the Deputy Court CEA (DCEA), since there is no reference to these positions in the Agreement. The proposal had also requested that Article V.8 be amended to empower the Commission to delegate any of its powers to the CEA or any officer designated by the Commission, instead of only to the Registrar as currently obtains. No response has since been received from CARICOM.

5.11.3 However, in keeping with the restructuring of the Court and Commission and the Court's evolution during the two (2) years since the amendments were requested, on October 18, 2013, the Commission wrote to CARICOM withdrawing the request for the proposed amendments with a view to resubmitting them in a broader format with respect to other matters and operations of the Court.

5.12 CARICOM Competition Commission.

5.12.1 Under Article 172 of the Revised Treaty of Chaguaramas, the RJLSC is responsible for the appointment of members of the CARICOM Competition Commission (CCC). With the imminent expiration of the terms of office of all commissioners in January 2013, CARICOM in 2012 had delegated to the RJLSC, the task of reviewing the Terms and Conditions of the members of the Competition Commission and recommending changes if needed, as well as recommending their re-appointment or not and the duration of new terms of office.

5.12.2 All members were re-appointed effective January 3, 2013 as follows: Dr. Kusha Haraksingh (chairman) 4 years; Mr. Patterson Cheltenham 4 years; Dr. Trevor Farrell 2 years; Mr. Hans Lim A Po 3 years; Dr. Maureen Paul 2 years; Dr. Barton Scotland 2 years; and Ambassador Stewart Stephenson 3 years. Along with the recommendation for re-appointment, a recommendation to increase the daily retainer paid to these commissioners was also submitted to CARICOM for

approval. CARICOM had deferred the matter for a response later in the year. In July of 2013, CARICOM advised that it was not in agreement with increasing the daily retainer.

- 5.12.3 On November 14, 2013, member Dr. Trevor Farrell passed away. At its meeting of November 29, 2013, the Commission acknowledged his passing and resolved to pursue the matter of his replacement at its next meeting to be held in 2014.

6. STAFF OF THE COMMISSION

- 6.1 In keeping with its mission for 2013 as a year of action and implementation of the Commission's vision to improve efficiencies, in January 2013 the Commission temporarily realigned the duties of the Commission's staff. This decision came about due to repeated concerns expressed by the Commission and the burden on the Secretary to the Commission due to her ever-increasing substantive duties as Registrar and Chief Marshal of the Court, cited by her from as early as 2008. The realignment of duties now saw the Executive Assistant (designation changed mid-year to Executive Officer), assuming the execution of all day-to-day administrative/executive functions of the Commission – which duties were previously undertaken by the Secretary – in addition to her (the EO's) substantive duties. Initially there was a trial period for the implementation of this decision from January 2013 until the Commission's meeting in April 2013, but the decision was extended from meeting to meeting. At its penultimate meeting of 2013, the Commission resolved that the decision would remain in force until further notice.
- 6.2 The Commission's decision taken in early 2013 with respect to the expansion of the duties of the Executive Officer greatly minimized the impact on the Commission of the retirement in August 2013 of the Secretary to the Commission, since the former had already been performing the duties of the latter.
- 6.3 The realignment decision taken by the Commission also meant that instead of the four persons (including a Messenger/Driver), with which the department had functioned since 2010, the management and administrative arm of the department was now reduced to two (2) members of staff in a year when a great number of new projects were undertaken and the future path of the Commission was being charted, resulting in intense pressure bound by close deadlines. A study ordered by the HRSC found that both employees were working consistently at approximately 150% capacity. This was compounded by the fact that the Commission's new Human Resources and Selection Committee (HRSC) met on at least twelve (12) occasions during a span of nine (9) months. In the absence of a Human Resources Manager, the mandate of the HRSC resulted in many of the daily personnel matters of the Court being directly handled by these two RJLSC staff members, since the Court staff saw them as objective safe and confidential havens to either help to solve problems without prejudice or merely to listen to their grouses. In effect, the RJLSC office became a type of Human Resources office and many hours were spent by these two RJLSC employees accommodating staff. The RJLSC staff also

served as support for the Pensions Committee's meetings five (5) times in six (6) months, in furtherance of the objective of a comprehensive Non-Judicial Staff Pension Plan during the year.

- 6.4 In 2012, the Executive Officer had begun the integral process of documenting all policies and decisions made by the Commission since its first meeting in 2003 to date. Due to her assumption of the duties of the Secretary to the Commission throughout 2013, in addition to her substantive duties, this project had to be temporarily suspended.
- 6.5 The process of realignment also resulted in both staff members having to assume some of the Committee positions which would normally be held by the Secretary to the Commission as outlined below.

Christine Foreshaw	Catherine Beard
<ul style="list-style-type: none">▪ Pensions Committee (Secretary)▪ Human Resources and Selection Committee (Secretary)▪ Pension Administration Committee (Secretary)▪ Court Privileges and Immunities Committee (Member)	<ul style="list-style-type: none">▪ Financial Oversight Committee, formerly Joint Consultative Committee (Secretary)▪ Court Judicial Retreat held in September (Project Coordinator)

- 6.6 Apart from the additional responsibilities assigned to the Executive Officer as outlined above, it had become necessary to facilitate the transactions – by way of Resolutions – with respect to the transfer of ownership of the bonds held by the employees in relation to the outcome of the CLICO policyholders' investment. The Commission therefore authorized the Executive Officer as its representative to sign, execute and deliver all documents necessary for the sale of such bonds and the opening of a brokerage account for the purchase of CLICO investment units.
- 6.7 The record number of thirty-eight (38) meetings of the Commission and its Committees held in 2013 compounded by the fact that eight (8) of the Committee meetings were held on the day(s) preceding or following the day of a Commission meeting, meant that these two employees constantly worked in a highly pressurized state, since, apart from the stress of meetings held on consecutive days, decisions taken at Committee meetings had to be prepared to be presented at the meeting of the Commission the following day.
- 6.8 In the year 2013, the staff of the Commission began the painstaking process of creating and updating personnel files of all the Judges and staff of the Court.

- 6.9 To assist in performing their functions and providing administrative support to the Chairman and members of the Commission, the Commission's staff was supported by several units of the Court, namely, Finance, Protocol, Information Technology, Security and Facilities.

STAFF OF THE COMMISSION



Left: Ms Catherine Beard, Executive Secretary
Right: Ms. Christine Foreshaw, Executive Officer
Seated: Mr. Hucliffe Samuel, Driver/Messenger

7. PROJECTED AND ACTUAL EXPENDITURE OF THE COURT AND COMMISSION

- 7.1 **Financial Oversight Committee / Joint Consultative Committee.** The reports conducted throughout the years by the various consultants, in conjunction with the concerns of the Financial Oversight Committee (FOC) dictated the necessity for the engagement of a financial consultancy. In 2013, after the tendering process, the Commission authorized the FOC to engage the services of Pricewaterhouse Coopers to conduct a financial consultancy from September to December 2013. This resulted in the development of a Procedures Manual to guide the policies of the Court, especially with respect to expenditure and procurement. A Steering Committee, of which three (3) Commissioners are members, was mandated to ensure implementation. Even prior to the Committee's formation, two (2) of these Commissioners were required to meet quite often and at short notice for the preliminary meetings; they generally made themselves available at every opportunity, being mindful of the implications of this responsibility.
- 7.2 **2013-2014 Biennial Budget.**
- 7.2.1 At the beginning of 2013, the 2013-2014 Budget had still not been agreed upon by the Commission, the Court and the Trust Fund. The Actual 2012 Budget with adjustments was therefore used for the year 2013. The 2014 budget was also late as it was presented to the Commission by the Court in December of 2013.

- 7.2.2 In the year 2013, the Commission caused to be sold the old Judges' motor vehicles which had not been in use since 2012 when new motor vehicles had been bought for the Judges. This resulted in welcome income for the Court.
- 7.2.3 Under their Terms and Conditions, Judges are entitled to a Travel Grant every two (2) years. In 2013, this Travel Grant was payable to six (6) Judges.
- 7.2.4 At present, provision is not made by the existing Health Insurance Plan for coverage of Judges beyond the age of seventy (70) years. The matter of Health Insurance for Judges beyond the age of seventy (70) years will be explored in 2014. This should result in a decrease in the Court's expenditure for medical reimbursements to Judges.
- 7.3 **Pension Payments.** The year 2013 did not coincide with the retirement of any Judge and therefore no additional retirement obligation was incurred in 2013. All employee contributions were deducted and paid to the relevant pension asset as at December 31, 2013. All employer contributions were paid to the relevant pension assets. In 2013 the Commission approved the refund of employee contributions plus accrued interest for two (2) former employees and also approved the refund of employee and employer contributions plus accrued interest for two other (2) employees.
- 7.4 **CLICO Payments.** In the year 2013, the Commission approved that the PAC prepare two (2) resolutions on its behalf. The first resolution was to authorize the CCJ to open a brokerage account with the West Indies Stockbrokers Limited (WISE) for the purpose of purchasing CLICO investment fund units on behalf of the RJLSC and the CCJ. The other resolution was to authorize the CCJ to transact business in relation to the transfer and ownership of the Government of Trinidad and Tobago bonds issued to CLICO policyholders (including the sale of such bonds) with the Central Bank of Trinidad and Tobago and/or any other financial institution authorized to transact business in Trinidad and Tobago. Employees were given the option to transfer two-thirds or the full amount of their CLICO investment into the new Pension Plan. The bonds being held by the majority of employees were transferred to the Court in 2013. The process of the transfers to date has been complex and tedious but successful due to the hard work of the Commission's Pensions Committee as well as the Finance and Human Resources Departments of the Court, resulting in the bonds finally being held in the name of the Court. The matter of the CIF units and the sale of the remaining bonds will be dealt with in 2014. (Year 2 bonds had matured in November 2013).
- 7.5. **Appointment of Auditors.** In 2012 the Commission had approved the employment of auditors BDO, to conduct the annual audit of the financial statements of the Commission for 2012 to 2014. In 2013 the Financial Oversight Committee took the decision to revise the terms of engagement of these auditors to reflect that the Commission is responsible for governance, which includes "overseeing the strategic direction of the Court and obligations related to the accountability of the Court, including overseeing the financial reporting process". The audited

financial statements of the Commission for the 12-month period ending December 31, 2013 are attached as **Appendix E**.

8. INTERACTION WITH THE TRUSTEES AND THE TRUST FUND

8.1 In the year 2013, the Commission, Court and Trust Fund moved in tandem; the goals of all three organizations were in sync resulting in frequent and amicable communication and greater efficiency in the use of funds.

8.2 **Financial Oversight Committee (FOC).** Resulting from the 2011 Governance Report, the Joint Consultative Committee (JCC) had been formed in 2012. In 2013, this Committee evolved into the more aptly named Financial Oversight Committee (FOC) to coincide with its corresponding evolving mandate. The FOC comprised members of the Commission, Court and Trust Fund and broadened its mandate to examine the total financial structure of the Commission and the Court in keeping within the strictures of the Trust Fund and the adequacy of the Fund to provide for the operations of both organizations in perpetuity.

8.3 **Protocol for the Interfacing and Interaction between the Commission, the Court and the Trust Fund ('the Protocol').** The Protocol, which had expired in January 2010, was still a work in progress in 2013, thus the existing Protocol was used during this year. It is expected that the draft, in which much energy was expended by all three entities in 2013, will be reviewed at the first meeting of the Commission in 2014 and be finalized in that year.

9. MATTERS OF NOTE

9.1 **CCJ Bills tabled in Jamaica.** In mid-2013, the Jamaica Government once again tabled Bills in the House of Representatives in its bid to replace the Privy Council with the Caribbean Court of Justice (CCJ) as Jamaica's final appellate court. The Bills to be debated were: an Act to Amend the Judicature (Appellate Jurisdiction) Act, which seeks to amend the Judicature (Appellate Jurisdiction) Act, to repeal provisions for appeals to the Privy Council, and exclude any appeals to the Privy Council instituted prior to implementation of the CCJ; an Act to Amend the Constitution of Jamaica, to amend Section 110 of the Constitution to repeal provisions relating to appeals to the Privy Council and replace them with provisions establishing the CCJ as Jamaica's final court; and an Act to make provisions for the implementation of the Agreement Establishing the CCJ as both a court of original jurisdiction, to determine cases involving the Caribbean Community (CARICOM) and international treaties, as well as a superior court of record with appellate jurisdiction.

The Bills were debated on December 3, 2013. Following the debates on the Bills in the Lower House, there will be a three-month period before a vote can be taken.

- 9.2 **Dominica and the CCJ.** In January 2013, Prime Minister Roosevelt Skerrit announced the country's intention to write to Britain later that month requesting permission to sever ties with the Privy Council in order to join the CCJ in its appellate jurisdiction. This was in keeping with Section 42.4A of the Constitution of Dominica. By November 2013, the Prime Minister announced that he had indeed written to Britain requesting leave to de-link from the Privy Council and recognize the CCJ as its final appellate Court. A response is expected in early 2014. If Britain has no objection, the need for a referendum would be negated and with a simple two-thirds majority of the Dominican parliament, the country could recognize the CCJ as its final Court. Dominica would therefore become the first island of the OECS to move towards adopting the CCJ as its final Court of appeal.
- 9.3 **St. Lucia and the CCJ.** In the year 2013, St. Lucia announced that it would hold talks with Britain in keeping with the island's Constitution, as it seeks to accept the Caribbean Court of Justice (CCJ) as its final Court of appeal.
- 9.4 **Landmark ruling in Myrie case.** In the year 2013, the Court heard its first case on freedom of movement in the CARICOM region. In this case, the Court adjudged that a Jamaican citizen, Ms. Shanique Myrie, had a right of entry to Barbados and a stay of at least six (6) months, unless she were undesirable or had insufficient funds. This was the first time that the Court was sitting in Jamaica (week of March 2013) and the second time that it was sitting in Barbados. The final addresses, however, were heard at the seat of the Court in Trinidad and Tobago.
- 9.5 **Resignations**
- Ms. Radha Permanand, Deputy Registrar – January 21, 2013
- Mr. Ricardo Dowell, IT Network Officer – April 5, 2013
- Mr. Venold O'Garro, Senior Accounting Assistant – October 31, 2013
- 9.6 **Retirement**
- Ms. Paula Pierre, Registrar and Chief Marshal – August 30, 2013
- 9.7 **Expiration and Extension of Contract**
- Mr. Cyril Bernard, Court Security Manager – November 2, 2013

10. MESSAGE FROM THE CHAIRMAN

In 2013, as the Commission marked the 10-year milestone of its establishment, we were honoured to still have serving with us two members of long standing, Deputy Chairman Dr. the Hon. Lloyd Barnett, O.J. and former Commissioner Joseph Archibald, Q.C. During this year four members of the Commission were replaced and Deputy Chairman Barnett and Commissioner Martin Daly re-appointed.

In January of 2013 a plan of action for the Secretariat focused on improving the management of the business of the Commission was implemented. The functions of the Staff were realigned with all administrative and management responsibilities transferred to Christine Foreshaw, Executive Officer at the Commission, and all Commissioners committed to the task at hand.



However, mention must be made of the work of the various Committees. In the absence of an HR Manager, the Human Resources and Selection Committee was formed. The demands on this Committee caused it to rely heavily on the Staff of the Secretariat for support while the process of recruitment of an HR Manager was conducted. I would like to take this opportunity to express my gratitude to Commissioners Chairperson Astaphan, Commissioners Barnett and Daly and former Commissioners Lutchman and Ferdinand for the critical role that they played. This Committee continued to benefit from the invaluable insight of Professor Harold Lutchman even though the term of his appointment ended in October of 2013.

Under the chairmanship of Commissioner Barnett the Pensions Committee was able to finalize the Trust Deed and Rules and the Non-Judicial Staff Pension Plan was brought into effect. I am grateful for Commissioner Barnett's leadership and dedication in this process along with his team which comprised Commissioners Daly and former Commissioner Gollop. The expert guidance of members of the Court, the Actuaries and the Trust Fund is also acknowledged.

The formation of the Financial Oversight Committee was not only timely but its role has proven crucial in this financially unique environment. Originally named the Joint Consultative Committee, it was formed to facilitate a collaborative relationship between the Commission, the Court and the Trust Fund with each organization represented by two of its members. In 2013 we were also fortunate to have the benefit of former Commissioner Wendell Lawrence's expertise although the term of his appointment had ended in 2012. Ambassador Lawrence guided the first steps of the newly formed Financial Oversight Committee. By the end of the first quarter of 2013 the Committee formally adopted its mandate for the oversight of finances along with its new name, the Financial Oversight Committee. At the level of governance, this forum has facilitated much needed consultation which augurs well for sound decision-making and best practices at all levels. We recognize the dedicated work of Commissioners Jn Marie and Daly to the work of this Committee.

In light of the Commission's activities, 2013 has been its most demanding year thus far, especially given the record number of Committee meetings which were convened. With the realignment of duties the Commission's Staff not only stepped up to the challenge but implemented measures which have resulted in greater efficiencies and cost-savings. They facilitated informed decision-making and timely performance and were still able to provide ancillary support to various committees and projects.

In conclusion, it is to the Commission's credit that during our tenth year, we were able to effectively commence the process of transformation. That members of the Commission and its Staff were willing to go the extra mile necessary, with some members even lending support beyond the end of their tenure, speaks to the acknowledgement of the important mission of the Commission. Their synergy has been of great assistance to me and for this I am indeed grateful.

The Right Honourable Sir Charles Dennis Byron, Chairman

11. FEATURE ON DOMINICA

The largest and most northerly of the Windward Islands, with an area of approximately 290 square miles, Dominica sits midway along the Eastern Caribbean archipelago, to the northwest of Martinique and to the south south-east of Guadeloupe. The island's official name is the Commonwealth of Dominica, to distinguish it from its Caribbean neighbour to the northwest, the Dominican Republic.

The Government of Dominica became a Contracting Party to the Georgetown Accord on May 1, 1974. This Accord established the Caribbean Community (CARICOM) Treaty on July 4 and its coming into effect in August 1973. Dominica was thus considered to be a Founder Member of the Caribbean Community. It is also a full and participating member of the Organisation of Eastern Caribbean States (OECS).

On February 15, 2003, Dominica was in the second tranche of States signing the Agreement Establishing the Caribbean Court of Justice (CCJ), bringing the total signatories at the time to 12. The Protocol on the Provisional Application of the Revised Treaty of Chaguaramas was signed by the Government of Dominica on February 4, 2002.

The Protocol to the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy regarding the Relationship between Provisions on the Original Jurisdiction of the Caribbean Court of Justice and the Constitutions of States Parties was signed by the Government of Dominica on February 17, 2005.

On January 30, 2006, the Government of Dominica signed the Agreement to Enable the Entry into Force of the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy (CSME).

In January 2013, Prime Minister Roosevelt Skerrit announced the country's intention to write to Britain later that month requesting permission to sever ties with the Privy Council in order to join the CCJ in its appellate jurisdiction. This was in keeping with Section 42.4A of the Constitution of Dominica. By November 2013, the Prime Minister announced that he had indeed written to Britain requesting leave to de-link from the Privy Council and recognize the CCJ as its final appellate Court. A response is expected in early 2014. If Britain has no objection, the need for a referendum would be negated and with a simple two-thirds of the Dominican parliament, the country could recognize the CCJ as its final Court.

Dominica would therefore become the first island of the OECS to move towards adopting the CCJ as its final Court of appeal.



The country's national symbols, adopted upon gaining independence from Great Britain on August 6, 1966, include: The **Coat of Arms** was adopted on July 21, 1961. It consists of a shield with two guardian Sisserou Parrots bracing the shield atop of which is a raging lion. The quadrants of the shield depict a canoe, a banana tree, a palm and a frog of the native species. Below the shield is the national motto: *Après*

Bondie C'est La Ter (After God the Earth).

The **Flag** of Dominica consists of a circular emblem of red bearing a Sisserou Parrot standing on a twig encircled by ten lime-green stars. This is superimposed on three vertical and three horizontal stripes of yellow, black and white forming a triple-coloured cross against a background of forest green. The central emblem is the National Bird of Dominica, the Sisserou Parrot (which is endemic to Dominica); it also represents a symbol of flight toward greater heights and fulfilment of aspiration. The ten lime-green stars – the traditional symbol of hope – represent the ten parishes of the country, with equal status, reflecting the equality of the people. The red central emblem symbolizes Dominica's commitment to social justice. The yellow, black and white stripes form a triple- coloured cross representing the Trinity of God. The cross itself demonstrates belief in God since Dominica is founded upon the principles that acknowledge the supremacy of God. The yellow stripe represents the sunshine, the main agricultural produce: citrus and bananas; and is also a symbol of the Arawak and Carib people. The white stripe represents the clarity of the rivers and waterfalls and the purity of aspiration of the people. The black stripe represents the rich black soil on which the island's agriculture is based, as well as the African heritage of the people. The general background of dark green represents the verdant forests and the island's lush vegetation.



Dominica in Latin means 'Sunday', which is said to be the day on which it was discovered by Christopher Columbus on November 3, 1493. Prior to Columbus' discovery, the Arawaks and the Caribs inhabited the island; the latter are still found there and are the last of these natives to inhabit the Caribbean. The vast majority of the population of approximately 71,000 (2011 census) live in the capital, Roseau and are of African descent. The rest are mixed, with Indo-Caribbean or East Indian groups, a small European minority and a few Lebanese, Syrians and Asians.

The island was colonized by the French and the English in the 17th century and then by the French in the 18th century. Later in the 18th century, it became a territory of the United Kingdom. In 1871, Dominica became a member of the Leeward Islands Federation. Shortly after 1936, it was governed as part of the Windwards until 1958, when it joined the West Indies Federation. Upon the dissolution of the Federation, it became an associated state of the United Kingdom in 1967 and formally took responsibility for its internal affairs.

On November 3, 1978, Dominica achieved independence as a republic, and assumed the name of Commonwealth of Dominica. An interim government formed in 1979 was replaced in 1980 by a government led by the Caribbean's first female Prime Minister, Dame Eugenia Charles.

Unlike other former British colonies in the West Indies, Dominica was never a Commonwealth realm, instead becoming a republic upon gaining independence. The head of state is the president, while the government is headed by the prime minister.

It is the youngest island in the Lesser Antilles, still being formed by geothermal-volcanic activity, evidenced by the world's second-largest thermally active lake, Boiling Lake. Known as 'The Nature Isle of the Caribbean' due to its spectacular, lush and varied flora and fauna, Dominica boasts the most pristine wilderness in the Caribbean. Some plants and animals thought to be extinct on surrounding islands can still be found in Dominica's forests; the high annual rainfall results in two-thirds of the island being covered by tropical forest.

The country has sought to preserve its spectacular natural beauty by discouraging high-impact tourism. The volcanic nature of the island means that it has few beaches. Offshore, Dominica is home to many cetaceans, making it a favourite for tourists interested in whale-and dolphin-watching. The mountains, rainforests, freshwater lakes, hot springs, waterfalls, hiking and diving opportunities combined make it an attractive eco-tourism destination.

The economy relies heavily on agriculture, facilitated by the rich volcanic soil. Climactic conditions are therefore of extreme importance and the island is especially vulnerable to hurricanes. Exports include bananas, citrus, coffee, copra, etc. The currency used is the East Caribbean dollar. Dominica's cuisine is similar to that of other Caribbean islands, particularly Trinidad and St. Lucia.

English is the official language of Dominica, but resulting from the French occupation at various periods in its history, and its location between the two French-speaking departments of Guadeloupe and Martinique, an Antillean Creole, based on the French language, West African and Carib influences is still spoken, as well as patois and Kokoy/Cocoy. As a result of this admixture of languages and heritage, Dominica is a member of both the English-speaking Commonwealth of Nations and the French-speaking La Francophonie. About 80% of the population is Roman Catholic, the rest being Protestants and Muslim.

Cricket is a popular sport on the island and Dominica competes in Test cricket as part of the West Indies cricket team. Of all the sports cricket which has made their cricketers are Dominica's only Billy Raymond Doctrove (also DeFreitas and Shane



Dominica is obliquely depicted Jean Rhys' 'Wide Sargasso Sea'; Williams) was born and raised

played in Dominica, it is mainly mark internationally. Among the ICC Elite Panel Umpire (now retired) Dominica's first FIFA referee), Phillip Shillingford.

in famed mid-20th century novelist Ms. Rhys (born Ella Gwendolen Rees in Dominica.

Dominica is also the birthplace of **Ms. Jennifer Astaphan, LL.M., currently the Chairperson of the Regional Judicial and Legal Services Commission's Human Resources and Selection Committee.** She was appointed to the Commission on November 6, 2012, 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, in accordance with [Article V.1 (e)]. Currently Executive

Director of the Caribbean Centre for Development Administration (CARICAD), Ms. Astaphan is an Attorney-at-Law and a qualified Public Sector Manager and Policy Advisor with more than 25 years' top-management experience. She has also served in the public sector for 34 years during which time, as Chief Personnel Officer / Permanent Secretary in the Establishment, Personnel, Public and Training Division she was responsible for the human resources management of the Public Service.

Wikipedia.org
AVirtualDominica.com
WorldAtlas.com
Wikiversity.com

12. SNAPSHOTS OF 2013



**Swearing-in of Mrs. Cynthia Williams
February 15, 2013**



**Swearing-in of Dr. Peter Maynard
September 28, 2013**



Swearing-in of the Hon. Justice Peter
Williams November 29,



Swearing-in of Mrs. Jacqueline Marshalleck
November 29, 2013

13. THROUGH THE YEARS

Members of the Regional Judicial and Legal Services Commission from 2003 to present

Year Appointed	Nationality	Name	Chairman	Member
2003	Barbados	Sir David Simmons	Pro tem Aug 2003 – Aug 2004	Aug 2004 – Aug 2006
2003	Jamaica	Dr. the Honourable Lloyd Barnett		Aug 2003 – present (Deputy Chairman Feb 2012 – present)
2003	Trinidad and Tobago	Mr. Kenneth Lalla		Aug 2003 – Aug 2004
2003	St. Vincent and the Grenadines	Mr. Othneil Sylvester		Aug 2003 – Mar 2006
2003	Guyana	Professor Aubrey Bishop		Aug 2003 – Aug 2007
2003	St. Lucia	Sir Vincent Floissac		Aug 2003 – Nov 2008
2003	Trinidad and Tobago	Mrs. Gloria Gray		Aug 2003 – Aug 2009
2003	St. Vincent and the Grenadines	Ms. Nelcia Robinson		Aug 2003 – Aug 2009
2003	Trinidad and Tobago	Mr. Allan Alexander		Aug 2003 – Aug 2010
2003	Suriname	Dr. Magda Hoever-Venoaks		Oct 2003 – Aug 2010
2004	Trinidad and Tobago	Ambassador Christopher Thomas		Aug 2004 – Aug 2006
2004	Trinidad and Tobago	The Right Honourable Mr. Justice Michael de la Bastide	Aug 2004 – Aug 2011	
2006	St. Vincent and the Grenadines	Mr. Cecil Williams		Sep 2006 – Sep 2009
2006	St. Kitts and Nevis	Dr. Joseph Archibald		July 2006 – Aug 2013
2007	Belize	Mr. Anthony Sylvestre		Jan 2007 – Feb 2008
2007	Jamaica	Professor A. Ralph Carnegie		Sep 2007 – Aug 2010
2009	Belize	Mr. Rodney Neal		Jan 2009 – Jan 2010
2009	St. Kitts and Nevis	Ambassador Wendell Lawrence		Aug 2009 – Aug 2012
2009	Barbados	Mr. Jefferson Cumberbatch		Aug 2009 – Aug 2012

Year Appointed	Nationality	Name	Chairman	Member
2009	St. Lucia	Mr. Frank Myers		Nov 2009 – Feb 2010
2010	St. Kitts and Nevis	The Honourable Mr. Justice Hugh Rawlins		Jan 2010 – Aug 2012
2010	St. Lucia	Mr. Egbert Lionel		Apr 2010 – Nov 2012
2010	Barbados	Sir Fred Gollop		Oct 2010 – Oct 2013
2010	Guyana	Professor Harold Lutchman		Oct 2010 – Oct 2013
2010	St. Kitts and Nevis / Dominica	Mr. Emile Ferdinand		Nov 2010 – Nov 2013
2010	Trinidad and Tobago	Mr. Martin Daly		Nov 2010 – present
2011	St. Kitts and Nevis / Antigua and Barbuda / St. Lucia	The Right Honourable Sir Charles Dennis Byron	Sep 2011 – present	
2012	British Virgin Islands	The Honourable Dame Justice Janice Pereira		Sep 2012 – present
2012	St. Lucia	Mr. Evaristus Jn Marie		Nov 2012 – present
2012	Commonwealth of Dominica	Ms. Jennifer Astaphan		Nov 2012 – present
2013	St. Kitts and Nevis	Mrs. Cynthia Williams		Jan 2013 – present
2013	Commonwealth of the Bahamas	Dr. Peter Maynard		Aug 2013 – present
2013	Barbados	The Honourable Justice Peter Williams		Nov 2013 – present
2013	Commonwealth of the Bahamas / Belize	Mrs. Jacqueline Marshalleck		Nov 2013 – present
2013	Jamaica / St. Lucia	Mr. Tyrone Chong		Nov 2013 – present

Current Deputy Chairman of the Commission, Dr. the Hon. Lloyd George Barnett, O.J., is the only member of the Commission to have served for all ten (10) years of the Commission's existence.

14. IN APPRECIATION

The

Commission wishes to express its appreciation to the following ex-Commissioners:



Ambassador Wendell Lawrence who continued to lend his services to the Commission via the Joint Consultative/Financial Oversight Committee in the implementation of the 2011 Governance, Accountability and Independence Report, even though his tenure had ended in 2012. Ambassador Lawrence was also the chief architect of the 2011 Governance, Accountability and Independence Report.

Professor Harold Lutchman, B.Sc., M.Sc., LL.B., Ph.D., who continued to lend his expertise in the area of Human Resources and Selection Committee after the expiration of his tenure on October 28, 2013. Professor Lutchman also maintained a perfect attendance record for every Commission and every Committee meeting of which he was a member, during his 3-year tenure with the Commission.



15. IN MEMORIAM



The Commission regrets the passing of **Professor Aubrey Fitz Ronald Bishop, O.R., C.C.H., B.Sc., LL.M.**, on February 6, 2013; he was 81 years of age. In his capacity as 'distinguished jurist nominated jointly by the Dean of the Faculty of Law of UWI, the Deans of the Faculty of Law of any contracting Parties and the Chairman of the Council of Legal Education' [Article V. 1 (f)], **Professor Aubrey Fitz Ronald Bishop** was sworn in as **one of the first Commissioners of the Regional Judicial and Legal Services Commission on August 21, 2003**. He contributed four (4) years of sterling service to this august body until his resignation on August 19,

2007.

The Commission also regrets the passing of **Dr. Trevor Farrell, B.A., M.A., Ph.D.**, at the age of 67. Dr. Farrell served as a **member of the CARICOM Competition Commission** from its inception in January 2008 for a period of five (5) years. He was re-appointed as a member on January 3, 2013 for a period of two (2) years and served until his death on November 14, 2013.



APPENDIX A

Meetings of the Regional Judicial and Legal Services Commission in 2013

No.	Meeting No.	Dates of Meetings of Commission
1.	83	February 15, 2013
2.	84	May 3, 2013
3.	85	July 19, 2013
4.	86	September 28, 2013 (held in Barbados)
5.	87	November 29, 2013

APPENDIX B

Attendance of Members at Commission Meetings in 2013

Name of Commissioner	Feb 15	May 3	July 19	Sep 28	Nov 29
The Rt. Hon. Sir Charles Dennis Byron	✓	✓	✓	✓	✓
Dr. the Hon. Lloyd George Barnett, O.J.	✓	✓	✓	✓	✓
Dr. Joseph Archibald, Q.C.	✓	x	✓	--	--
Dr. Peter Maynard, Ph.D.	^^	^^	^^	✓	✓
The Hon. Dame Justice Janice Pereira	✓	x	✓	✓	x
Mrs. Cynthia Williams, B.S.	✓	x	✓	✓	✓
Mr. Evaristus Jn. Marie	✓	✓	✓	✓	✓

Name of Commissioner	Feb 15	May 3	July 19	Sep 28	Nov 29
Ms. Jennifer Astaphan, LL.M.	✓	✓	✓	✓	✕
Professor Harold Lutchman, B.Sc., M.Sc., LL.B., Ph.D.	✓	✓	✓	✓	*
Sir Fred Gollop, K.A., Q.C.	✓	✓	✓	✓	--
The Hon. Justice Williams, CHB	^^	^^	^^	^^	✓
Mr. Tyrone Chong, Q.C.	^^	^^	^^	^^	✕
Mr. Martin Daly, S.C.	✓	✓	✓	✓	✓
Mr. J. Emile Ferdinand, Q.C.	✕	✓	✓	✓	--
Mrs. Jacqueline Marshalleck	^^	^^	^^	^^	✓
Total No. of Members who Attended	9	7	10	10	7

Key:

- ✓ Attended meeting
- * Attended meeting by invitation
- ✕ Absent from meeting
- Term expired
- ^^ Not yet appointed a member

APPENDIX C

Meetings of Committees and Other Meetings in 2013

No.	Date of Meetings	Committee / Commission's Representative	Purpose
1.	February 6, 2013	Commissioners Daly and Jn Marie	Joint Consultative Committee Meeting
2.	February 14, 2013	Deputy Chairman Barnett, Commissioners Gollop and Daly	Pensions Committee Meeting
3.	March 14, 2013	Commissioner Jn Marie	Joint Consultative Committee Meeting
4.	March 15, 2013	Commissioner Astaphan	Preliminary research meeting with RJLSC and CCJ staff to launch the Human Resources and Selection Committee
5.	April 12, 2013	Deputy Chairman Barnett, Commissioners Astaphan, Lutchman and Daly	Inaugural meeting of Human Resources and Selection Committee
6.	April 15, 2013	Deputy Chairman Barnett, Commissioners Gollop and Daly	Pensions Committee Meeting
7.	April 30, 2013	Commissioner Jn Marie	Inaugural Meeting of Financial Oversight Committee
8.	May 2, 2013	Deputy Chairman Barnett, Commissioners Astaphan, Lutchman and Ferdinand	Human Resources and Selection Committee
9.	May 2, 2013	Deputy Chairman Barnett, Commissioners Gollop and Daly	Pensions Committee Meeting
10.	June 4, 2013	Commissioner Jn Marie	Financial Oversight Committee Meeting
11.	June 6, 2013	Deputy Chairman Barnett	Pensions Meeting with Executive Assistant to discuss Pensions documents
12.	June 6, 2013	Deputy Chairman Barnett, Commissioners Astaphan, Lutchman and Daly	Human Resources and Selection Committee Meeting

No.	Date of Meetings	Committee / Commission's Representative	Purpose
13.	June 7, 2013	Deputy Chairman Barnett, Commissioners Astaphan, Lutchman and Daly	Human Resources and Selection Committee Meeting
14.	July 9, 2013	Commissioner Daly	Financial Oversight Committee Meeting
15.	July 17, 2013	Deputy Chairman Barnett	Pensions Meeting with Executive Assistant to finalize Pension documents
16.	July 18, 2013	Deputy Chairman Barnett and Commissioner Daly	Pensions Committee Meeting to prepare for and then meet with CCJ and RJLSC Staff to explain Pension Plan
17.	July 18, 2013	Deputy Chairman Barnett, Commissioners Astaphan, Lutchman, Daly and Ferdinand	Human Resources and Selection Committee Meeting
18.	July 26, 2013	Commissioner Jn Marie	Meeting with Pricewaterhouse Coopers re Financial Consultancy
19.	August 23, 2013	Commissioner Jn Marie	Meeting with Chairman re Financial Consultancy
20.	August 24, 2013	Commissioner Jn Marie	Meeting with Chairman re Financial Consultancy
21.	August 24, 2013	Commissioner Astaphan	Meeting with Chairman re Human Resources and Financial Consultancy
22.	September 6, 2013	Commissioners Jn Marie and Astaphan	Steering Committee - Inaugural Meeting of Financial Consultancy
23.	September 30, 2013	Deputy Chairman Barnett	Inaugural Meeting of Pension Administration Committee
24.	October 17, 2013	Commissioners Jn Marie, Astaphan and Daly	Steering Committee - Meeting with Financial Consultants
25.	October 17, 2013	Commissioners Jn Marie and Daly	Steering Committee - Financial Consultancy Meeting
26.	October 17, 2013	Commissioners Astaphan, Lutchman and Daly	Shortlisting for positions of Human Resources Manager and Court Security Manager

No.	Date of Meetings	Committee / Commission's Representative	Purpose
27.	October 18, 2013	Commissioners Astaphan, Lutchman and Daly	Shortlisting for positions of Human Resources Manager and Court Security Manager
28.	November 13, 2013	Commissioners Astaphan, Lutchman, Daly and Ferdinand	Setting of Terms and Conditions of Human Resources Manager and Court Security Manager
29.	November 14, 2013	Commissioners Astaphan, Lutchman, Daly and Ferdinand	Interviews for position of Human Resources Manager
30.	November 15, 2013	Commissioners Astaphan, Lutchman, Daly and Ferdinand	Interviews for position of Human Resources Manager
31.	November 25, 2013	Commissioner Jn Marie	Steering Committee - Financial Consultancy Meeting
32.	November 28, 2013	Deputy Chairman Barnett	Pension Administration Committee
33.	December 3, 2013	Commissioner Daly	Meeting with prospective Human Resources Manager

APPENDIX D

Members of Committees of the Commission in 2013

Name of Committee	Members
Pensions Committee	<ul style="list-style-type: none"> ▪ Commission Deputy Chairman Barnett (Chairman) ▪ Commissioner Gollop ▪ Commissioner Daly
Human Resources and Selection Committee	<ul style="list-style-type: none"> ▪ Commissioner Astaphan (Chairperson) ▪ Deputy Chairman Barnett ▪ Commissioner Lutchman ▪ Commissioner Daly ▪ Commissioner Ferdinand
Name of Committee	Members

Judges' Compensation and Pensions Committee	<ul style="list-style-type: none"> ▪ Deputy Chairman Barnett (Chairman)
Financial Oversight Committee (formerly Joint Consultative Committee)	<ul style="list-style-type: none"> ▪ Commissioner Jn Marie ▪ Commissioner Daly
Proposed Amendments to the Agreement Committee	<ul style="list-style-type: none"> ▪ Deputy Chairman Barnett (Chairman) ▪ Commissioner Daly ▪ Commissioner Marshalleck ▪ Commissioner Astaphan
Pension Administration Committee	<ul style="list-style-type: none"> ▪ Deputy Chairman Barnett (Chairman)
RJLSC Draft Regulations Committee	<ul style="list-style-type: none"> ▪ Deputy Chairman Barnett (Chairman) ▪ Commissioner Lutchman
Steering Committee of Financial Consultancy	<ul style="list-style-type: none"> ▪ Commissioner Jn Marie ▪ Commissioner Astaphan ▪ Commissioner Daly

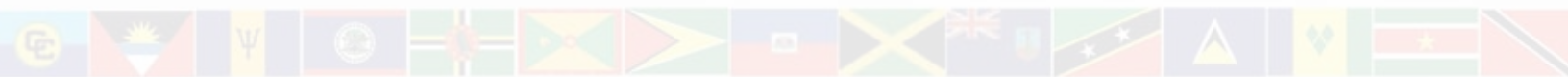
APPENDIX E

Audited Financial Statements for the Year ended December 31, 2013

FINANCIALS



REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION






**THE REGIONAL JUDICIAL AND LEGAL
SERVICES COMMISSION**

Audited Financial Statements

For the year ended December 31, 2013



Contents

	Page
Independent Auditors' Report	2
Statement of Financial Position	3
Statement of Comprehensive Income	4
Statement of Changes in Accumulated Fund	5
Statement of Cash Flows	6
Notes to the Financial Statements	7-18
 Supplementary Financial Information (Stated in United States Dollars)	
Independent Auditors' Report on Supplementary Financial Information	20
Statement of Financial Position	21
Statement of Comprehensive Income	22
Statement of Changes in Accumulated Fund	23



Tel: +1 (868) 628 3150
Fax: +1 (868) 622 3003
www.bdo.tt

9 Warner Street
Port-Of-Spain
Trinidad and Tobago

Independent Auditors' Report

The Commissioners
The Regional Judicial and Legal Services Commission
Port of Spain, Trinidad

Report on the Financial Statements

We have audited the accompanying financial statements of The Regional Judicial and Legal Services Commission, which comprise the statement of financial position as at December 31, 2013 and the statements of comprehensive income, changes in accumulated fund and cash flows for the year then ended and the accompanying notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these 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 judgement, 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 control 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 control. 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 present fairly, in all material respects, the financial position of The Regional Judicial and Legal Services Commission as at December 31, 2013, and its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards.



February 28, 2014

*Port of Spain,
Trinidad, West Indies*

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Statement of Financial Position

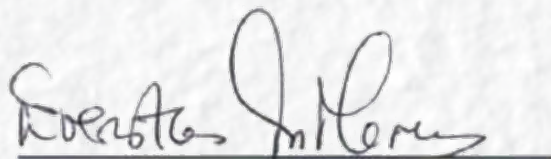
As at December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

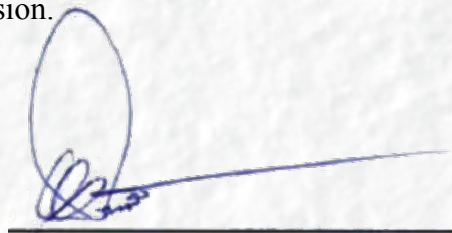
	Notes	2013	2012
Assets			
Non-current assets			
Property, plant and equipment	3	84,703	1,723
Current assets			
Due from related party	4	-	432,032
Other receivables	5	96,471	72,034
Cash and cash equivalents		753,162	911,320
Total current assets		849,633	1,415,386
Total assets		\$ 934,336	\$ 1,417,109
Accumulated Fund and Liabilities			
Accumulated fund		403,464	1,361,533
Current liabilities			
Due to related party	4	375,215	-
Other payables	6	155,657	55,576
Total current liabilities		530,872	55,576
Total accumulated fund and liabilities		\$ 934,336	\$ 1,417,109

See accompanying notes to the financial statements.

These financial statements were approved for issue by the Commissioners on February 28, 2014 on behalf of the Regional Judicial and Legal Services Commission.



Commissioner



Commissioner

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Statement of Comprehensive Income

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

	Notes	2013	2012
Funding provided by the Trust Fund		2,025,453	1,793,875
Interest income		8,070	4,970
		2,033,523	1,798,845
Administrative expenses	7	<u>(2,991,592)</u>	<u>(2,079,880)</u>
Total comprehensive deficit for the year		<u>\$ (958,069)</u>	<u>\$ (281,035)</u>

See accompanying notes to the financial statements.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Statement of Changes in Accumulated Fund

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

	Accumulated Fund
<hr/>	
Year Ended December 31, 2013	
Balance at January 1, 2013	1,361,533
Total comprehensive deficit for the year	<u>(958,069)</u>
Balance at 31 December 2013	<u>\$ 403,464</u>
Year Ended December 31, 2012	
Balance at January 1, 2012	1,642,568
Total comprehensive deficit for the year	<u>(281,035)</u>
Balance at 31 December 2012	<u>\$ 1,361,533</u>

See accompanying notes to the financial statements.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Statement of Cash Flows

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

	2013	2012
Cash Flows from Operating Activities		
Total comprehensive deficit for the year	(958,069)	(281,035)
Adjustments to reconcile total comprehensive deficit for the year to net cash from operating activities:		
Depreciation	29,958	1,724
Changes in due from related party	432,032	983,903
Changes in other receivables	(24,437)	(16,530)
Changes in other payables	100,081	26,726
Changes in due to related party	375,215	-
Net cash from operating activities	<u>(45,220)</u>	<u>714,788</u>
Cash flow from investing activities		
Acquisition of property plant & equipment	(112,938)	-
Net cash from investing activities	<u>(112,938)</u>	<u>-</u>
(Decrease)/increase in cash and cash equivalents for the year	(158,158)	714,788
Cash and cash equivalents at January 1	<u>911,320</u>	<u>196,532</u>
Cash and cash equivalents at December 31	<u>\$ 753,162</u>	<u>\$ 911,320</u>
Analysis of cash and cash equivalents		
Cash in hand and at bank	173,489	96,024
Money market deposits	579,673	815,296
	<u>\$ 753,162</u>	<u>\$ 911,320</u>

See accompanying notes to the financial statements.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

1. Establishment and principal activity

The Caribbean Court of Justice (the “Court”) and the Regional Judicial and Legal Services Commission (the “Commission”) were established on February 14, 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; 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 February 15, 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:

- Appointments to the office of Judge of the Court, other than that of President;
- Appointments of officials and employees of the Court;
- Determination of the terms and conditions of service of officials and employees;
- The termination of appointments in accordance with the provisions of this 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.

The Court is primarily financed by the Caribbean Court of Justice Trust Fund (the “Trust Fund”) who in turn transfers funds to the Commission. The Trust Fund was established by the Caricom states signing the Agreement, who together invested US\$100 million into the Trust Fund, to enable the expenditures of the Court and Commission to be financed by income from the Trust Fund.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

2. Significant accounting policies

(a) Basis of preparation

The financial statements are prepared in accordance with International Financial Reporting Standards “IFRS”, under the historic cost convention and are expressed in Trinidad & Tobago dollars, which is the Commission’s functional and presentation currency.

(b) Changes in accounting policy and disclosures

(i) New and amended standards adopted by the Commission

There are no IFRSs or IFRIC interpretations that are effective for the first time for the financial year beginning on or after January 1, 2013 that was adopted and had a material impact on the Commission.

(ii) New standards, amendments and interpretations issued but not effective and not early adopted

The following new standards, interpretations and amendments, which have not been applied in these financial statements, will or may have an effect on the Commission’s future financial statements:

IAS 32, ‘Financial Instruments: Presentation’ (Amendments) clarify some of the requirements for offsetting financial assets and financial liabilities in the statement of financial position. The changes are retrospectively applied, with an effective date of annual periods beginning on or after January 1, 2014. Master netting agreements where the legal right of offset is only enforceable on the occurrence of some future event, such as default of the counterparty, continue not to meet the offsetting requirements. The disclosures focus on quantitative information about recognized financial instruments that are offset in the statement of financial position, as well as those recognized financial instruments that are subject to master netting or similar arrangements irrespective of whether they are offset. The new amendments are not expected to have any significant impact on the Commission’s financial position or performance.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

2. Significant accounting policies (continued)

(b) Changes in accounting policy and disclosures (continued)

(ii) New standards, amendments and interpretations issued but not effective and not early adopted (continued)

IFRS 9, 'Financial instruments' – This new standard introduces new requirements for the classification, measurement and recognition of financial assets and financial liabilities and replaces parts of IAS 39. The standard is effective for annual periods beginning on after January 1, 2015 with early adoption permitted. IFRS 9 is required to be applied retrospectively. IFRS 9 uses business model and contractual cash flow characteristics to determine whether a financial asset is measured at amortized cost or fair value, replacing the four category classification in IAS 39. The determination is made at initial recognition. The approach is also based on how an entity manages its financial instruments (its business model) and the contractual cash flow characteristics of the financial assets. For financial liabilities, the standard retains most of the IAS 39 requirements. The main change is that, in cases where the fair value option is taken for financial liabilities, the part of a fair value change due to an entity's own credit risk is recorded in other comprehensive income rather than the income statement, unless this creates an accounting mismatch. IFRS 9 is not expected to have a significant impact on the Commission's financial position or performance.

Other standards, amendments and interpretations to existing standards in issue but not yet effective are not considered to be relevant to the Commission and have not been disclosed.

(iii) Standards and amendments to published standards early adopted by the Commission

The Commission did not early adopt any new, revised or amended standards.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

2. Significant accounting policies (continued)

(c) Use of estimates

The preparation of these financial statements in conformity with IFRS requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenses. Actual results could differ from these estimates.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimates are revised and in any future periods affected. Information about critical judgements in applying accounting policies that have the most significant effect on the amounts recognised in the financial statements is included in the following notes:

- Note (d) - Property, plant and equipment
- Note (e) - Other receivables
- Note (g) - Other payables
- Note (h) - Provisions
- Note (k) - Impairment

(d) Property, plant and equipment

Items of property, plant and equipment are measured at cost, net of accumulated depreciation and accumulated impairment losses.

Cost includes expenditure that is directly attributable to the acquisition of the asset. The cost of self-constructed assets includes the cost of materials and direct labour, any other costs directly attributable to bringing the assets to a working condition for their intended use, the costs of dismantling and removing the items and restoring the site on which they are located, and capitalized borrowing costs. Purchased software that is integral to the functionality of the related equipment is capitalized as part of the equipment.

When parts of an item of property, plant and equipment have different useful lives, they are accounted for as separate items of property, plant and equipment.

The gain or loss on disposal of property, plant and equipment is determined by comparing the proceeds from disposal with the carrying amount of the property, plant and equipment, and is recognized net within other income/other expenses in the statement of comprehensive income. When revalued assets are sold, any related amount included in the revaluation reserve is transferred to accumulated fund.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

2. Significant accounting policies (continued)

(d) Property, plant and equipment (continued)

The cost of replacing a component of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied within the component will flow to the Commission, and its cost can be measured reliably. The carrying amount of the replaced component is derecognized. The costs of the day-to-day servicing property, plant and equipment are recognized in statement of comprehensive income as incurred.

Depreciation is based on the cost of an asset less its residual value. Significant components of individual assets are assessed and if a component has a useful life that is different from the remainder of that asset, that component is depreciated separately. Depreciation is recognized in statement of comprehensive income on a straight-line basis over the estimated useful lives of each component of an item of property, plant and equipment.

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.

Depreciation methods, useful lives and residual values are reviewed at each reporting date and adjusted if appropriate.

(e) Other receivables

Other receivables are stated net of any specific provision established to recognise anticipated losses for bad and doubtful debts. Bad debts are written off during the year in which they are identified.

(f) Cash and cash equivalents

For the purposes of the statement of cash flows, cash and cash equivalents comprise cash at bank and in hand, and cash deposited with money market income funds.

(g) Other payables

Other payables are stated at cost.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

2. Significant accounting policies (continued)

(h) Provisions

A provision is recognized if, as a result of a past event, the Commission has a present legal or constructive obligation that can be estimated reliably, and it is probable that an outflow of economic benefits will be required to settle the obligation. Provisions are determined by discounting the expected future cash flows at a rate that reflects current market assessments of the time value of money and, where appropriate, the risks specific to the liability. The unwinding of the provision is recognized as finance cost.

(i) Revenue recognition

Funds from the Caribbean Court of Justice Trust Fund

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

Grants

Subventions that compensate the Commission for expenses incurred are recognized as income in the statement of comprehensive 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 comprehensive income as revenue on a systematic basis over the life of the asset.

All other revenue is recorded on an accruals basis.

(j) Foreign currency transactions

Foreign currency transactions are translated into the functional currency using the exchange rates prevailing at the date of the transactions. Gains and losses resulting from the settlement of such transactions and from the translation of monetary assets and liabilities denominated in foreign currencies are recognized in the statement of comprehensive income. Year-end balances are translated at year-end exchange rates.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

2. Significant accounting policies (continued)

(k) Impairment

The carrying amounts of the Commission's assets are reviewed at each reporting 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 recognized whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognized in the statement of comprehensive income.

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 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) Taxation

Pursuant to the terms of an agreement entered into on July 4, 2003 between the Court, 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.

(m) Accumulated fund

The accumulated fund represents the excess (deficit) funding received over (less than) expenditure.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

3. Property, plant and equipment

	Library Books	Furniture Fittings, Computers and Equipment	Vehicles	Total
Year ended December 31, 2013				
Cost of valuation				
At January 1, 2013	\$ 24,815	\$ 222,152	\$ 163,513	\$ 410,480
Additions	-	112,938	-	112,938
At December 31, 2013	24,815	335,090	163,513	523,418
Accumulated depreciation				
At January 1, 2013	24,815	220,429	163,513	408,757
Charge for the year	-	29,958	-	29,958
At December 31, 2013	24,815	250,387	163,513	438,715
Net book value				
At December 31, 2013	\$ -	\$ 84,703	\$ -	\$ 84,703
At December 31, 2012	\$ -	\$ 1,723	\$ -	\$ 1,723
Year ended December 31, 2012				
Cost of valuation				
At January 1, 2012	\$ 24,815	\$ 222,152	\$ 163,513	\$ 410,480
Additions	-	-	-	-
At December 31, 2012	24,815	222,152	163,513	410,480
Accumulated depreciation				
At January 1, 2012	24,815	218,705	163,513	407,033
Charge for the year	-	1,724	-	1,724
At December 31, 2012	24,815	220,429	163,513	408,757
Net book value				
At December 31, 2012	\$ -	\$ 1,723	\$ -	\$ 1,723
At December 31, 2011	\$ -	\$ 3,447	\$ -	\$ 3,447

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

4. Related Party Transactions

The following balances/transactions were held/carried out with related parties:

	<u>2013</u>	<u>2012</u>
The Court:		
a) Due (to) / from related party:		
-The Court	<u>\$ (375,215)</u>	<u>\$ 432,032</u>

Amounts due (to) / from the Court are interest free, with no fixed repayment terms.

b) Income received from the Trust Fund via the Court	<u>\$ 2,025,453</u>	<u>\$ 1,793,875</u>
c) Expenses charged to the Commission by the Court	<u>\$ 511,832</u>	<u>\$ 428,299</u>

The Commission works to ensure that the Court meets and fully satisfies the expectations and needs of the people it serves.

Key management compensation:

d) Key management compensation Salaries and other short term benefits	<u>\$ 464,020</u>	<u>\$ -</u>
--	-------------------	-------------

5. Other receivables

VAT recoverable	67,311	13,661
Other receivables	<u>29,160</u>	<u>58,373</u>
	<u>\$ 96,471</u>	<u>\$ 72,034</u>

6. Other payables

Accruals	155,657	55,375
Accounts Payable	<u>-</u>	<u>201</u>
	<u>\$ 155,657</u>	<u>\$ 55,576</u>

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

	2013	2012
7. Administrative expenses		
Commission and recruitment expenses	1,065,259	804,566
Salaries and allowances	738,742	645,550
Administrative expenses	679,475	485,777
Professional fees	393,298	89,760
Pension cost	43,326	13,559
Audit fees	33,045	32,828
Depreciation	29,958	1,724
Bank charges	8,489	6,116
	<u>\$ 2,991,592</u>	<u>\$ 2,079,880</u>

The Commission and its employees contribute towards a defined contribution pension plan which is administered by the Trust Fund and managed by a Pension Administration Committee made up of representatives from the Commission, Employees, Trust Fund and the Court. The employer's contribution is included in pension costs within administrative expenses.

8. Financial Risk Management

Financial risk factors

The main financial risks arising from the Commission's operations are foreign exchange currency risk, credit risk and liquidity risk. Risk management is carried out by the Financial Comptroller under policies approved by the Commission.

Foreign exchange risk

The Commission is mainly exposed to foreign exchange risk arising from financial instruments denominated in United States dollars. Foreign exchange risk arises when future commercial transactions or recognized assets or liabilities are denominated in a currency that is not the entity's functional currency.

The table below summarizes the Commission's asset, at the year ended, which is denominated in United States dollars.

	2013	2012
Assets		
Cash and cash equivalents	\$ 696,236	\$ 838,929

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

8. Financial Risk Management (continued)

Financial risk factors (continued)

Foreign exchange risk (continued)

The table below summarizes the sensitivity of the Commission's assets to changes in foreign exchange movements at the year end. The analysis is based on the assumptions that the relevant foreign exchange rate increased/decreased by 5% to the Trinidad and Tobago dollars (2012: 5%), with all other variables held constant. This represents management's best estimate of a reasonable possible shift in the foreign exchange rates, having regard to historical volatility of those rates.

Foreign exchange risk	Effect on accumulated fund	
	2013	2012
<i>Increased by 5%</i>	\$ 34,812	\$ 41,946
<i>Decreased by 5%</i>	\$ (34,812)	\$ (41,946)

Credit risk

Credit risk is the risk that a borrower or counter-party fails to meet its contractual obligation. Credit risk of the Commission arises from cash and cash equivalents as well as credit exposures from staff loans receivable. The Commission is mainly exposed to credit risk from cash and cash equivalents.

The credit quality of staff, their financial position, past experience and other factors are taken into consideration in assessing credit risk and are minimized through the use of contractual agreements.

Cash and deposits are held with reputable financial institutions, with amounts varying between \$18,721 and \$542,895 (2012: \$35,252 and \$778,921). The maximum amount with one financial institution is \$542,895 (2012: \$778,921).

The carrying value of financial assets on the statement of financial position represents their maximum exposure.

Liquidity risk

Liquidity risk arises from the Commission's management of working capital. It is the risk that the Commission will encounter difficulty in meeting its financial obligations as they fall due. Prudent risk management implies maintaining sufficient cash to fund its day to day operations.

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Notes to the Financial Statements

For the year ended December 31, 2013

(Expressed in Trinidad and Tobago Dollars)

8. Financial Risk Management (continued)

Financial risk factors (continued)

Liquidity risk (continued)

The table below summarizes the maturity profile of the Commission's financial liabilities as at the year end based on contractual undiscounted payments:

	Less than three (3) months
At December 31, 2013	
Financial liabilities:	
Due to related party	375,215
Other payables	<u>155,657</u>
Total liabilities	<u>\$ 530,872</u>
At December 31, 2012	
Financial liabilities:	
Other payables	<u>55,576</u>
Total liabilities	<u>\$ 55,576</u>

9. Subsequent Events

Management evaluated all events that occurred from January 1, 2014 through February 28, 2014, the date the financial statement were available to be issued. During the period, the Commission did not have any subsequent events requiring recognition or disclosure in the financial statements.

Supplementary Financial Information

**THE REGIONAL JUDICIAL AND LEGAL
SERVICES COMMISSION**

For the year ended December 31, 2013



Tel: +1 (868) 628 3150
Fax: +1 (868) 622 3003
www.bdo.tt

9 Warner Street
Port-Of-Spain
Trinidad and Tobago

Independent Auditors' Report

The Commissioners
The Regional Judicial and Legal Services Commission
Port of Spain, Trinidad

Report on the Supplementary Financial Information

We have audited the financial statements of the Regional Judicial and Legal Services Commission for the year ended December 31, 2013, and have issued our report thereon dated February 28, 2014.

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

We conducted our audit for the purpose of expressing an opinion on the financial statements of the Regional Judicial and Legal Services Commission taken as a whole. The accompanying supplementary financial information, consisting of the statements of financial position, comprehensive income and changes in accumulated fund, 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.

A stylized signature of the letters 'BDO' in a blue, cursive-like font.

February 28, 2014

*Port of Spain,
Trinidad, West Indies*

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Statement of Financial Position

As at December 31, 2013

(Expressed in United States Dollars)

	2013	2012
Assets		
Non-current assets		
Property, plant and equipment	<u>13,235</u>	<u>273</u>
Current assets		
Due from related party	-	68,577
Other receivables	15,074	11,434
Cash and cash equivalents	<u>117,681</u>	<u>144,654</u>
Total current assets	<u>132,755</u>	<u>224,665</u>
Total assets	<u>US\$ 145,990</u>	<u>US\$ 224,938</u>
Accumulated Fund and Liabilities		
Accumulated fund	<u>63,041</u>	<u>216,116</u>
Current liabilities		
Due to related party	58,627	-
Other payables	<u>24,322</u>	<u>8,822</u>
Total current liabilities	<u>82,949</u>	<u>8,822</u>
Total reserves and liabilities	<u>US\$ 145,990</u>	<u>US\$ 224,938</u>

Translation Rate used - US\$1.00: TT\$6.40 (2012: US\$ 1.00: TT\$ 6.30).

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Statement of Comprehensive Income

For the year ended December 31, 2013

(Expressed in United States Dollars)

	2013	2012
Funding provided by the Trust Fund	316,477	284,742
Interest income	<u>1,261</u>	<u>789</u>
	317,738	285,531
Administrative expenses	<u>(467,436)</u>	<u>(330,140)</u>
Total comprehensive deficit for the year	<u>US\$ (149,698)</u>	<u>US\$ (44,609)</u>

Translation Rate used - US\$1.00: TT\$6.40 (2012: US\$ 1.00: TT\$ 6.30)

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Statement of Changes in Accumulated Fund

For the year ended December 31, 2013

(Expressed in United States Dollars)

	Accumulated Fund
<hr/>	
Year Ended December 31, 2013	
Balance at January 1, 2013	216,116
Foreign exchange loss on opening accumulated fund	(3,377)
Total comprehensive deficit for the year	<u>(149,698)</u>
Balance at 31 December 2013	<u>US\$ 63,041</u>
Year Ended December 31, 2012	
Balance at January 1, 2012	260,725
Total comprehensive deficit for the year	<u>(44,609)</u>
Balance at 31 December 2012	<u>US\$ 216,116</u>

Translation Rate used - US\$1.00: TT\$6.40 (2012: US\$ 1.00: TT\$ 6.30)



REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

Constituted under the Agreement Establishing the Caribbean Court of Justice
2nd Floor
134 Henry Street
Port-of-Spain
Trinidad and Tobago
rjlsc@caribbeancourtofjustice.org