

November 2009

**THE CONSTITUTION OF THE CARIBBEAN ASSOCIATION OF
JUDICIAL OFFICERS, 2009**

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Commencement

[, 2009]

Preamble

WHEREAS at the Inaugural Conference of Caribbean Judicial Officers held in Trinidad and Tobago from 25th June to 27th June, 2009, judicial officers of the Caribbean region agreed that a Caribbean Association of Judicial Officers should be established:

AND WHEREAS the judicial officers resolved that a Constitution of the said Association should be adopted:

Now, we the judicial officers of the Caribbean region hereby agree to adopt the following provisions as the Constitution of the Caribbean Association of Judicial Officers:

Establishment of Association

1. There is hereby established an association to be called the Caribbean Association of Judicial Officers.

Location of Association

2. The Association shall be located at the headquarters of the Caribbean Court of Justice in Trinidad and Tobago, or such other place in the Caribbean region as the members of the Association may agree at an Annual General Meeting.

Interpretation

3. In this Constitution -
“Association” means the Caribbean Association of Judicial Officers established under Article 1;
“Chairperson” means the Chairperson of the Management Committee provided for in Article 10;
“judicial officer” includes a judge, magistrate,

master, court administrator, registrar, deputy registrar, and any other person appointed or serving in a judicial or adjudicatory capacity, including members of tribunals, boards, commissions or other similar judicial or adjudicatory body.

Aims and objectives

4. The aims and objectives of the Association shall be to
 - (a) enhance the administration of justice throughout the Caribbean region;
 - (b) promote judicial independence and the highest standards of integrity and accountability among judicial officers;
 - (c) encourage, foster and promote the development of competent, efficient and effective judicial officers;
 - (d) promote research or inquiries into the administration of justice and report or publish the results of such research, inquiries and investigations and make recommendations for change, reorganisation and general improvement of the administration of justice;
 - (e) achieve a better public understanding of the role of the Judiciary in the administration of justice and, in so doing, to initiate or support public education and public relations programmes
 - (f) provide a forum, including arranging conferences and meetings of members, for the sharing and exchange of ideas,

- information and experience;
- (g) collect and publish information for the guidance of judicial officers and the improvement of their skills, expertise and proficiency;
 - (h) establish and maintain links with any organisation with similar aims and objectives;
 - (i) conduct public education programmes to inform the public in the Caribbean region about the administration of justice, judicial independence, and judicial accountability, and to promote greater public understanding of the administration of justice, judicial independence and judicial accountability;
 - (j) offer solidarity and mutual support to judicial officers throughout the Caribbean; and
 - (k) do all such other things as are incidental or conducive to the attainment of its aims and objectives.

Membership

5.(1) The Association shall be comprised of the following three classes of members:

- (a) full members;
- (b) associate members; and
- (c) honorary members.

Full membership

6.(1) Full membership shall be available to all judicial officers appointed or serving in a Caribbean state or territory listed

in the First Schedule.

Associate membership

7. Associate membership shall be available to -

- (a) retired judicial officers who prior to their retirement would have been entitled to full membership of the Association; and
- (b) persons from the Caribbean states and territories listed in the First Schedule who are currently serving as judicial officers outside the Caribbean or who having so served have since retired.
- (c) Judicial officers serving in any of the Caribbean States and territories listed in the Second Schedule.

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Honorary membership

8. Honorary membership shall be open to those persons upon whom such status is conferred by the Association.

Subscription

9.(1) The subscription for members and the terms of payment shall be determined from time to time by the Management Committee of the Association.

(2) The subscription for associate members shall be fifty per cent of the subscription determined for full members.

Management of Association

10.(1) The Association shall be managed by a committee to

be called the Management Committee.

(2) The Management Committee shall consist of not less than five nor more than eleven persons elected by the Conference of the Association including a Chairperson, who shall be elected at the Conference.

(3) The Management Committee may from time to time allocate specific responsibilities to its members and establish sub-committees for such purposes as it considers appropriate.

(3) The members of the Management Committee shall hold office until the next Conference of the Association but are eligible for re-appointment.

(4) The Management Committee shall regulate its own procedure.

(5) The Management Committee may, on such terms and conditions as it thinks fit, engage any suitably qualified person to provide it with services, information or advice.

Conference

11.(1) The principal activity of the Association shall be the Conference which shall be held at least once every two years.

(2) The Conference shall be chaired by the Head of the Judiciary of the Caribbean State in which the Conference is being held.

(3) English shall be the working language of the Conference, and such other language(s) as the Conference may determine by consensus.

(4) The precise date, time, place and duration of the Conference shall be determined by the Head of the Judiciary of the Caribbean State in which the Conference is being held, after consultation with the Management Committee.

(5) The Chairperson shall cause to be prepared a report of the Conference and cause the same to be circulated among members of the Association as soon as possible after the conclusion of the Conference.

(6) At the conclusion of a Conference, the outgoing Chairperson shall immediately cause to be prepared and published throughout the Caribbean a press release concerning the Conference.

Management of Conference

12.(1) The management of the Conference shall be vested in the Management Committee and the Head of the Judiciary of the State in which the Conference is being held.

Funds

13. The funds of the Association shall comprise the subscriptions paid by members and associate members, and any donations made to it that are accepted by the Management Committee.

Voting

14.(1) A full member is eligible to attend, participate in and vote at the Conference of the Association.

(2) Associate and honorary members are eligible to attend and participate in the Conference of the Association but shall not have the right to vote.

Resignation

15. A member of the Association, including a member of the Management Committee or of any sub-committee of the Association, may at any time resign as a member by writing

addressed to the Chairperson of the Management Committee.

Power to make rules

16. The Association may make rules for the proper conduct of its affairs and proceedings and discharge of its aims and objectives, and may amend or revoke such rules.

Amendment

17.(1) This Constitution may be amended at a Conference if a copy of the proposed amendment is submitted to the Chairperson not less than three months prior to the date of the Conference.

(2) The proposed amendment shall be communicated to all members of the Association by the Chairperson within one month of its receipt.

(3) An amendment shall become effective after two-thirds of the members present at a Conference vote, after the matter is debated, in favour of the amendment.

(4) Notwithstanding sub-sections (1) and (2) above, a proposed amendment may be considered and voted upon at a Conference or at an extraordinary Conference if two-thirds of the members present agree that the proposed amendment should be considered and voted upon.

Dissolution

18. (1) The Association shall be dissolved if the issue of dissolution is moved and debated at a Conference convened for that purpose and three-quarters of all the members present in person or by proxy vote in favour of the dissolution.

(2) The Management Committee shall devise appropriate

means for members who are unable to attend the Conference to vote by proxy on the question of dissolution.

(3) In the event of such dissolution the members who comprise the Management Committee immediately before the dissolution shall determine how to dispose of the property and assets of the Association. Provided that such disposition shall be to a non-profit body or bodies sharing objectives that are similar to or compatible with those detailed in Article 4 above.

Governing Law

19. In the event of any dispute in the interpretation of this Constitution the governing law shall be the national law of the State of Trinidad & Tobago.

FIRST SCHEDULE

(secs. 6 and 8)

1. Anguilla
2. Antigua and Barbuda
3. The Bahamas
4. Barbados
5. Belize
6. Bermuda
7. British Virgin Islands
8. Cayman Islands
9. Dominica
10. Grenada
11. Guyana
12. Haiti
13. Jamaica
14. Montserrat
15. St. Kitts and Nevis
16. St. Lucia
17. St. Vincent and the Grenadines
18. Suriname
19. Trinidad and Tobago
20. Turks & Caicos Islands

SECOND SCHEDULE

(secs. 6, 7 and 8)

1. Cuba
2. Dominican Republic
3. Guadeloupe
4. Martinique
5. Netherlands Antilles & Aruba
6. Puerto Rico
7. U.S. Virgin Islands
8. French Guiana