



**134 HENRY STREET
PORT OF SPAIN
REPUBLIC OF TRINIDAD AND TOBAGO**
Telephone: (868) 623-2CCJ Fax: (868) 624-4710
Website: www.ccj.org

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**CCJ EMPHASISES IMPORTANCE OF CONSULTATION BUT DISMISSES APPEAL IN OGLE
AIRPORT RENAMING CASE**

Port of Spain, Trinidad and Tobago. In a judgment released today, the Caribbean Court of Justice (CCJ) dismissed the appeal in the matter of *Air Services Limited and others v The Attorney General and others* [2021] CCJ 2 (AJ) GY but emphasised the importance of meaningful consultations by public authorities with relevant stakeholders. The Court heard the appeal on 19 January 2021.

On 9 May 2016, the Ogle International Airport was renamed as the Eugene F Correia International Airport. The name change was approved by the Minister of Public Infrastructure, but the appellants did not agree with it. They contended that the Minister had a duty to consult with them before he proceeded with the renaming exercise, as such an undertaking would be harmful to them and their business interests. The Solicitor General conceded that the Minister owed a duty to consult with those who would be affected by his decision to rename the airport but submitted that this duty had been satisfied in this case.

Mr Justice Barrow, in delivering the judgment of the Court, found that the duty to consult in this case related to the question of whether the proposed new name should be approved or not. He noted that the appellants were able to discuss the name change, among other issues, at a meeting with the Minister on 18 November 2015. Following that meeting, they provided a brief to the Minister of all on the issues discussed, including the name change. In that brief, the submission in relation to the renaming required nothing more than to 'Leave Ogle Airport name as it is'. There was nothing provided by the appellants that suggested that the Minister would not have understood the nature and substance of their objection. The Court found that the Minister took their concerns seriously enough that he commissioned a legal review of the lease.

The Court thus held that there was no need for further consultations, as advanced by the appellants. This was a case where the appellants disagreed with the merits of the Minister's decision, for which the law gives no remedy. In a separate, concurring opinion, Mr Justice Jamadar emphasised that the duty of the Minister to consult is rooted in the Constitution of Guyana, distinct from any procedural rights based on other legal sources.

The judgment was delivered by the Honourable Mr Justice Denys Barrow on behalf of the panel, which also comprised the Honourable Messrs. Justice Jacob Wit, Justice Winston Anderson, Justice Andrew Burgess and Justice Peter Jamadar. A concurring judgment was delivered by the Honourable Mr Justice

Jamadar. Mr Devindra Kissoon and Ms Natasha Vieira appeared for the appellants. Mr Nigel Hawke, Solicitor General, and Ms Raeanna Clarke appeared for the respondents.

The full judgment of the Court is available on the Court's website at www.ccj.org.

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About the Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, Republic of Trinidad and Tobago on 16 April 2005 and presently has a Bench of seven judges presided over by CCJ President, the Honourable Mr Justice Adrian Saunders. The CCJ has an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all 12 Member States which belong to the CSME (including their citizens, businesses, and governments) can access the Court's Original Jurisdiction to protect their rights under the RTC. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national Constitutions to enable the CCJ to perform that role. At present, four states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica and Guyana. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence and a signal of the region's coming of age.

For more information please contact:

The Public Education & Communications Unit

Tel: (868) 623-2225 exts. 2296, 2246

Email: pecu@ccj.org