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Sixth Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 88 of 2000

[L.S.]

AN ACT to amend the Integrity in Public Life Act, 2000

[Assented to 2nd November, 2000]

WHEREAS it is enacted *inter alia* by subsection (1) of ^{Preamble} section 13 of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any Act does so declare, it shall have effect accordingly:

And whereas it is provided by subsection (2) of the said section 13 of the Constitution that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that the provisions of this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution:

Enactment ENACTED by the Parliament of Trinidad and Tobago as follows:

Short title **1.** This Act may be cited as the Integrity in Public Life (Amendment) Act, 2000.

Act inconsistent with Constitution **2.** This Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.

Interpretation **3.** In this Act, “the Act” means the Integrity in Public Life Act, 2000.

Section 2 amended **4.** Section 2 is amended in the definition of “persons exercising public functions” by deleting the word “Senators”.

Section 16 amended **5.** Section 16 is amended by deleting subsection (3) and substituting the following subsections:

“ (3) An enquiry under section 15 or an investigation under Part V may be held in relation to—

(a) a person, who within the meaning of this Act, ceases to be a person in public life or a person exercising a public function; and

(b) a person who was a person in public life under the former Act.

(4) In this section, “former Act” means the Integrity in Public Life Act, 1987^{No. 8 of 1987} repealed by section 43.”.

6. Section 21 of the Act is amended by repealing subsection (5) and substituting the following subsection: ^{Section 21 amended}

“ (5) No prosecution of an offence under this Act, other than an offence under section 20(5), may be instituted without the written consent of the Director of Public Prosecutions.”.

7. Section 31 of the Act is amended— ^{Section 31 amended}

(a) in subsection (1), by deleting the words “House of Parliament,”;

(b) in subsection (2), by deleting the words “House of Parliament,”;

(c) by inserting after subsection (2), the following subsection:

“ (3) The Commission shall report to the Director of Public Prosecutions, any breach of this Part by a member of Parliament.”.

8. Section 32 of the Act is amended in subsection (2) by deleting the words “two hundred and fifty thousand dollars and a term of imprisonment not exceeding five years” and substituting the words “five hundred thousand dollars and to imprisonment for ten years.”. ^{Section 32 amended}

9. Section 35 of the Act is repealed and the following section and Part Heading substituted: ^{Section 35 repealed and replaced}

“PART VI

MISCELLANEOUS

Protection of
information

35. (1) The records of the Commission and any information revealed by a witness or by the production of documents, shall

not be disclosed other than to such extent as may be necessary for the purpose of proceedings in any Court relating to a charge under this Act, the Prevention of Corruption Act or any other written law.

(2) Any member of the Commission and any person in the service of the Commission who discloses or attempts to disclose to any person other than a person to whom he is authorised under the Act, any information or evidence received by the Commission under this Part, shall be guilty of an offence and liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for five years.”.

Section 41 amended **10.** Section 41 of the Act is amended by deleting paragraph (1)(f).

Schedule amended **11.** The Schedule is amended by deleting item 7 and substituting the following items:

- “7. Senators.
8. Judges and Magistrates appointed by the Judicial and Legal Service Commission.
9. Members of the Boards of all Statutory Bodies and State Enterprises including those bodies in which the State has a controlling interest.
10. Permanent Secretaries and Chief Technical Officers.”.

Passed in the House of Representatives this 13th day of October, 2000.

D. DOLLY
Acting Clerk of the House

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed in the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than three-fifths of all the members of the House, that is to say by the votes of twenty-seven members of the House.

D. DOLLY
Acting Clerk of the House

Passed in the Senate this 24th day of October, 2000.

N. COX
Clerk of the Senate

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed in the Senate and at the final vote thereon in the Senate has been supported by the votes of not less than three-fifths of all the members of the Senate that is to say by the votes of twenty-nine Senators.

N. COX
Clerk of the Senate