
Fourth Session Eleventh Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 14 of 2019

[L.S.]

AN ACT to validate the constitution of licensing committees established under section 5 of the Liquor Licences Act, Chap. 84:10 as well as the grant, transfer and renewal of licences and all other acts and omissions by licensing committees and for related matters

[Assented to 1st July, 2019]

WHEREAS section 2 of the Miscellaneous Provisions Preamble
(Licensing Committee) Act, 2014 ("the Act") amended Act No. 6 of 2014
section 5 of the Liquor Licences Act to alter, *inter alia*, Chap. 84:10

the constitution of liquor licensing committees in respect of each licensing district:

And whereas the Act also amended the Liquor Licences Act to provide new requirements with respect to—

- (a) the issue, transfer and renewal of licences;
- (b) the making and determination of objections to the grant, transfer and renewal of licences;
- (c) the suspension and revocation of licences; and
- (d) reviews and appeals of decisions in respect of refusals to grant, transfer or renew licences:

And whereas the licensing committees also constitute the Licensing Authority under various pieces of legislation amended by the Act, namely—

- Chap. 20:10 (a) the Cinematograph Act;
- Chap. 21:01 (b) the Registration of Clubs Act;
- Chap. 21:03 (c) the Theatres and Dance Halls Act;
- Chap. 84:04 (d) the Moneylenders Act;
- Chap. 84:05 (e) the Pawnbrokers Act;
- Chap. 84:06 (f) the Licensing of Dealers (Precious Metals) Act; and
- Chap. 84:07 (g) the Old Metal and Marine Stores Act:

And whereas, after the commencement of the Act on 21st July, 2014, the constitution of the licensing committees continued in accordance with the requirements of section 5 of the Liquor Licences Act before it was amended by the Act:

And whereas it is necessary to validate the constitution of the licensing committees and to remedy the consequences of the failure to comply with the

requirements of the Act during the period commencing on 21st July, 2014, and ending on the commencement of this Act:

And whereas it is enacted by section 13(1) 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 in section 13(2) 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:

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

1. This Act may be cited as the Licensing Committee Short title (Validation) Act, 2019.
2. This Act shall have effect even though inconsistent Act inconsistent with Constitution with sections 4 and 5 of the Constitution.
3. In this Act—
 - “the Act” means the Miscellaneous Provisions (Licensing Committee) Act, 2014; Act No. 6 of 2014
 - “licensing committee” means the licensing committee constituted pursuant to the Liquor Licenses Act, prior to the coming Chap. 84:10 into force of the Act; and
 - “specified period” means the period commencing on 21st July, 2014 and ending on the commencement of this Act.

Validation of
constitution of
licensing committee

4. A licensing committee constituted during the specified period is deemed to be lawful and valid to the extent that it would have been lawful and valid had the Act not come into force.

Validation of acts,
decisions, omissions
and proceedings

5. An act, decision, omission or proceeding of a licensing committee done, taken, made or conducted during the specified period is deemed to be lawful and valid to the extent that the act, decision, omission or proceeding would have been lawful and valid had the Act not come into force.

Validation of order or
determination of
a Court

6. An order or determination made by a Court during the specified period is deemed to be lawful and valid to the extent that the order or determination would have been lawful and valid had the Act not come into force.

Immunity from suit

7. (1) Subject to subsection (2), no legal proceedings or other action of any kind shall be commenced or continued against a person in respect, or in consequence, of an act, decision, omission or proceeding of a licensing committee done, taken, made or conducted during the specified period, if such act, decision, omission, or proceeding would have been lawful and valid had the Act had not come into force.

(2) Nothing in subsection (1) shall affect the right of any person to any legal remedy which he would have had in relation to any act, decision, omission, or proceeding of a licensing committee, if the Act had not come into force.

(3) Notwithstanding any law to the contrary, a legal remedy referred to in subsection (2) may be obtained in the same manner that it could have been obtained had the Act not come into force.

Continuation of
proceedings

8. Any proceedings commenced during the specified period pursuant to the Liquor Licences Act, which would have been lawfully and validly commenced if the Act had not come into force, may be continued and dealt with under the Liquor Licences Act as if the Act had come into force.

Passed in the Senate this 21st day of May, 2019.

B. CAESAR

Clerk of the Senate

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by 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 27 Senators.

B. CAESAR

Clerk of the Senate

Passed in the House of Representatives this 18th day of June, 2019.

J. SAMPSON-MEIGUEL

Clerk of the House

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by 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 32 members of the House.

J. SAMPSON-MEIGUEL

Clerk of the House