

*Legal Supplement Part C to the "Trinidad and Tobago Gazette", Vol. 42,  
No. 27, 13th February, 2003*

**No. 3 of 2003**

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**First Session Eighth Parliament Republic of Trinidad  
and Tobago**

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SENATE

**BILL**

AN ACT to amend the Commissions of Enquiry Act,  
Chap. 19:01

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THE COMMISSIONS OF ENQUIRY (AMENDMENT)  
BILL, 2003

**Explanatory Note**

(These notes form no part of the Bill but are intended only to indicate its general purport)

The purpose of this Bill is to make miscellaneous amendments to the Commissions of Enquiry Act, Chap. 19:01.

Clause 1 would provide the Short title.

Clause 2 would restructure section 11 to clarify the protection from suit given to the Commissioners in that section.

Clause 3 would increase the fine payable in respect of certain offences and would also include a term of imprisonment as part of the penalty.

Clause 4 would give to the Commissioners the power to refer to the High Court offences equivalent to a contempt of the High Court committed in relation to the proceedings of the Commission.

**BILL**

AN ACT to amend the Commissions of Enquiry Act,  
Chap. 19:01

[ , 2003]

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

**1.** This Act may be cited as the Commissions of Short title  
Enquiry (Amendment) Act, 2003.

Section 11 amended

**2.** The Act is amended by deleting section 11, and substituting it as follows:

"Power to  
summon and  
examine  
witnesses  
and privilege  
of commis-  
sioners from  
suit

11. (1) Commissioners acting under this Act, shall have the power of the High Court to summon witnesses to call for the production of books, plans and documents and to examine witnesses and parties concerned on oath.

(2) All summonses for the attendance of witnesses or other persons or the production of documents, may be in the form given in the Schedule and may be signed by one of the Commissioners.

(3) No civil or criminal proceedings may lie against a Commissioner for anything he may do or say or report in the course of the exercise or intended exercise of his functions as Commissioner.

(4) Oaths may be administered by one of the Commissioners or by the Secretary".

Section 12(2) deleted  
and substituted

**3.** The Act is amended by deleting all the words commencing with the word "five" occurring in the penultimate line and ending with the word "Dollars," and substituting the words "penalty of twenty thousand dollars, or to imprisonment for two years or both".

New section 12A  
added

**4.** The Act is amended by inserting after section 12, a new section 12A as follows:

"Power with  
respect to  
contempt of  
Court

12A. If a person does any act which, if a Commission of Enquiry under this Act had been a Court of Law having power to commit for contempt had been contempt of that Court, the Chairman of the Commission of Enquiry, or where there is only one Commissioner, that

Commissioner may certify the offence of that person under his hand to the High Court which may thereupon enquire into the alleged offence and after hearing any witnesses who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, punish or take steps for the punishment of that person in like manner as if he had been guilty of contempt of Court.”.

Passed in the Senate this      day of      ,  
2003.

*Clerk of the Senate*

I confirm the above.

*President of the Senate*

Passed in the House of Representatives this      day  
of      , 2003.

*Clerk of the House*

I confirm the above.

*Speaker*

No. 3 of 2003

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FIRST SESSION  
**EIGHTH PARLIAMENT**  
REPUBLIC OF  
TRINIDAD AND TOBAGO

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**BILL**

AN ACT to amend the Commissions of  
Enquiry Act, Chap. 19:01

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Received and read the

First time.....

Second time.....

Third time.....

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