AS AMENDED IN THE HOUSE OF REPRESENTATIVES

A BILL

An Act to amend the Administration of Justice (Indictable Proceedings) Act, 2011

Preamble

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;

Enactment

ENACTED by the Parliament of Trinidad and Tobago as follows:

Short title

1. This Act may be cited as the Administration of Justice (Indictable Proceedings) (Amendment) Act, 2012.

Commencement

2. This Act is deemed to have come into force on **16th December, 2011**.

Interpretation Act No. 20 of 2011

3. In this Act, "the Act" means the Administration of Justice (Indictable Proceedings) Act, 2011.

Act inconsistent with Constitution

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

Section 34 repealed

5. Section 34 of the Act is repealed **and deemed not to have come into effect**.

Voidance of proceedings

6. (1) Notwithstanding any law to the contrary, all proceedings under the repealed section 34 which were pending before any court immediately before the date of assent of this Act shall, on the coming into force of this Act, be void.

(2) In this section and section 7, "repealed section 34" means section 34 of the Act which is repealed by section 5.

No rights, etc. created

7. Notwithstanding any law to the contrary, no rights, privileges, obligations, liabilities or expectations shall be deemed to have been acquired, accrued, incurred or created under the repealed section 34.

Passed by the House of Representatives this 12th day of September, 2012.

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 35 members of the House.

Clerk of the House

I confirm the above.

Speaker

Passed by the Senate this day of , 2012.

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 _____ Senators.

Clerk of the Senate

I confirm the above.

President of the Senate