

Second Session Fifth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 15 of 1997

[L.S.]

AN ACT to amend the Theatres and Dance Halls
Act, Chap. 21:03

[Assented to 29th July, 1997]

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

1. This Act may be cited as the Theatres and Dance Short title
Halls (Amendment) Act, 1997.

New sections
inserted
Chap. 21:03

2. The Theatres and Dance Halls Act is amended by inserting after section 4 the following new sections:

"Cancellation
of licences for
discrimina-
tion

4A. (1) A Licensing Authority may, on complaint made in writing by a person to whom this section applies, suspend or cancel a licence, if it is satisfied by proof on oath before it that the conduct of any business on premises to which the public has access is contrary to the provisions of section 4B.

(2) Where a complaint has been made against a licensee under subsection (1), the Licensing Authority shall summon the licensee to appear before it on the date set for the hearing of the complaint to respond to the allegations made against him and the licensee may either represent himself or be represented by an attorney-at-law.

(3) A Licensing Authority may—

(a) attach such reasonable conditions to the terms of any suspension imposed under this section as would, in its opinion, ensure that section 4B is complied with, so however that no suspension of any licence shall exceed a period of more than twenty-one consecutive days or forty-two days altogether in respect of any one complaint or group of complaints;

(b) cancel any such licence if the conditions imposed by it have not been complied with.

(4) This section applies to any person who has been discriminated against in any manner, including a refusal of admission or service or refusal of access to facilities on any licensed premises, on the ground of that person's race, colour, religion or sex.

(5) The Minister may, by Order, subject to affirmative resolution of Parliament, amend subsection (4) to increase the grounds on which a person may claim to have been discriminated against.

Discrimination on licensed premises

4B. (1) Discrimination on premises by the owner or occupier or by any of his servants or his agents or by his associates on the ground of race, colour, religion or sex is hereby prohibited.

(2) In this section and in section 4A—

“associates” means any individual, partner or company having a pecuniary interest or otherwise concerned with the carrying on of any business on the licensed premises in respect of which there is a complaint under section 4A;

“discrimination” means any inequality of treatment that is less favourable than that accorded to any person or group of persons and which is indicative of an intention to deal with that person or group of persons in a manner that is different from that in which the majority of other persons or a substantial number of such persons on any one occasion are treated or dealt with in that respect.

(3) For the purpose of this Act, segregating a person whether by place or position or by time or occasion from other persons on the grounds of race, colour, religion or sex is deemed to be discrimination.

Cancellation of licences on grounds of causing a public annoyance

4C. (1) A Licensing Authority may, on complaint made in writing by an aggrieved person, suspend or cancel a licence, if it is satisfied by proof on oath before it that the conduct of any trade or business on premises to which this Act applies has caused annoyance to persons in the vicinity of that trade or business by virtue of excessive noise emanating from electronic or other devices.

(2) Where a complaint has been made against a licensee under subsection (1), the Licensing Authority shall summon the licensee to appear before it on the date set for the hearing of the complaint to respond to the allegations made against him and the licensee may either represent himself or be represented by an attorney-at-law.

Appeals from order of Licensing Authority

4D. (1) Any person dissatisfied with any order of a Licensing Authority under section 4A or section 4C may appeal against such order to the Court of Appeal.

(2) The procedure in respect of any appeal under this section shall be such as is laid down in the Summary Courts Act.

(3) In this section "any person dissatisfied" means a person referred to in sections 4A(3), 4B(1) and 4C."

Passed in the House of Representatives this 6th day of June, 1997.

J. SAMPSON
Clerk of the House

Passed in the Senate this 24th day of June, 1997.

N. COX
Clerk of the Senate

Senate amendments agreed to by the House of Representatives this 11th day of July, 1997.

J. SAMPSON
Clerk of the House