

*Legal Supplement Part A to the "Trinidad and Tobago Gazette", Vol. 39,
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**Sixth Session Fifth Parliament Republic of Trinidad
and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 85 of 2000

[L.S.]

AN ACT to amend certain provisions of the Summary
Courts Act, the Summary Offences Act and the
Offences Against the Person Act to remove certain
discriminatory religious references.

[Assented to 2nd November, 2000]

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

Short title

1. This Act may be cited as the Miscellaneous Laws Act, 2000.

Amendment of enactments

2. The enactments specified in the First Column of the Schedule are amended in the manner specified in the Third Column of the Schedule.

SCHEDULE

<i>Enactment</i>	<i>Section</i>	<i>Amendments</i>
The Summary Courts Act, Chap. 4:20	Section 102	In the marginal note, delete the words “church, etc.” and substitute the words “religious building”.
		Delete the words “church, chapel, or” wherever they occur.
		Delete the words “clergyman or minister” and substitute the words “religious head or official”.
		Delete the words “or of the churchwarden or churchwardens of such building”.
The Summary Offences Act, Chap. 11:02	Section 2	Delete the term and the corresponding definition of “obeah”.
	Section 43	Delete the words “by the practice of obeah or by any occult means or by any assumption of super-natural power or knowledge” and substitute the words “by any fraudulent means”.
		Delete the marginal note and substitute the following “Intimidation by fraudulent means”.
		Delete the words “and subject to the Corporal Punishment Acts, may be sentenced to undergo Corporal punishment; and, if a female, may, during such imprisonment, be kept in

<i>Enactment</i>	<i>Section</i>	<i>Amendments</i>
		solitary confinement not exceeding three days at any one time and not exceeding one month in the whole, as such Magistrate shall direct".
		Delete subsection (2).
	Section 44	Delete the words "by him in the practice of obeah or witchcraft" and substitute the words "to commit an offence under section 43(1)".
		In the marginal note, delete the words "in obeah and witchcraft" and substitute the words "to commit an offence under section 43(1)".
	Section 55	Repeal subsections (1)(b) and (c) and renumber subsection (1)(d) as (b).
		Insert the word "and" after subsection (1)(a).
		Delete the words "dance, procession," in subsection (2).
	Section 56	Delete the words "dance, Procession,".
	Section 60	Insert after section 60 the following new section:
	"Religious observances, customs or ceremonies	60A. The provisions of sections 58, 59 and 60 do not apply where the singing or dancing is done, or the drums, gongs, tambours, bangees, chac-chacs or other musical instruments are used as part of a religious observation, ceremony or custom in any place of worship.".

<i>Enactment</i>	<i>Section</i>	<i>Amendments</i>
	Section 63	Repeal.
	Section 64	Repeal subsection (1)(m) and (2).
	Section 96	<p>In the marginal note, delete the words “ministers” and substitute the word “officials”.</p> <p>Delete the word “minister” and substitute the words “any religious head or official”.</p> <p>Insert after section 96 the following new section:</p> <p>“Bringing into contempt etc., another person’s religion 96A. Notwithstanding any other law to the contrary, any person who brings into contempt or disbelief or who attacks, ridicules or vilifies another person’s religion in a manner that is likely to provoke a breach of the peace commits an offence and is liable on summary conviction to a fine of one thousand dollars.”.</p>
The Offences Against the Person Act, Chap. 11:08	Section 27	<p>Repeal and replace by the following section:</p> <p>“Obstructing or assaulting a religious official in the discharge of his duties 27. Any person who—</p> <p>(a) by threats or force, obstructs or prevents or endeavors to obstruct or prevent, any religious head or official in or</p>

*Enactment**Section**Amendments*

from celebrating or otherwise officiating at any religious service or meeting or at any place of divine worship, or in or from the performance of his duty in the lawful burial or cremation of the dead; or

(b) strikes or threatens any violence to, or upon any civil process, or under the pretense of executing any civil process, arrests any religious head or official who is engaged in, or to the knowledge of the offender is about to engage in, or is going to perform, or is returning from the performance of any rites or duties mentioned in this section,

*Enactment**Section**Amendments*

commits an offence and
is liable on summary
conviction to imprison-
ment for four years.”.

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

D. DOLLY

Acting Clerk of the House

Passed in the Senate this 19th day of October, 2000.

N. COX

Clerk of the Senate