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



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 16 of 1987

[L.S.]

**AN ACT to amend the Agricultural Small Holdings
Tenure Act, Chap. 59:53 and to validate certain
acts purported to have been done thereunder.**

[Assented to 22nd June, 1987]

WHEREAS it is enacted *inter alia* by section 13(1) of the Preamble
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 such Act does so declare
it shall have effect accordingly:

And whereas it is provided by 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. (1) This Act may be cited as the Agricultural Small Holdings Tenure (Amendment and Validation) Act, 1987.

Act inconsistent
with Constitution

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

Section 8
amended
Chap. 59:53

2. Section 8 of the Agricultural Small Holdings Tenure Act (hereinafter referred to as "the Act") is amended by repealing and replacing subsection (3) as follows:

" (3) The aggregate of the original period of a contract of tenancy and the periods of extension thereof shall not, except with the consent in writing of the landlord, exceed twenty-five years."

The Act
amended

3. The Act is amended by inserting immediately after section 8 the following new section:

"Further
extension of
contract of
tenancy

8A. (1) Where a tenant requires consent in writing of a landlord under section 8(3), the tenant shall, not less than three months before the expiry of the period of twenty-five years, serve notice in writing upon the landlord of his intention to further renew the contract of tenancy for such period as may be applicable to the type of small holdings held by the tenant under section 3(1).

(2) Where a tenant serves a landlord with notice under subsection (1) of the tenant's intention to further renew

the contract of tenancy, the landlord may, not less than thirty days before the date of expiry of the contract of tenancy under section 8(3), either give or withhold his consent by notice in writing served on the tenant.

(3) Where the tenant does not, before the expiry of the thirty-day period referred to in subsection (2), receive any notice in writing from the landlord, the landlord shall be deemed to have assented to the renewal of the contract of tenancy.

(4) Sections 3 and 8 of this Act apply to a contract of tenancy renewed under subsection (2) or subsection (3) as they apply to an original contract of tenancy, so however that the aggregate of the original period of a contract of tenancy and the periods of extension thereof, shall not exceed fifty years.”.

4. Section 12 of the Act is amended—

Section 12 of
the Act amended

- (a) by repealing and replacing subsection (1) as follows:

“ (1) The President may by Order establish as many agricultural tribunals as he may think fit and appoint the members thereof, in accordance with this Act.”;

- (b) by inserting immediately after subsection (4) the following new subsection:

“ (5) All appointments under this section shall be for such a period of not more than three years as the President shall specify at the time of appointment.”.

5. Section 41 of the Act is amended—

Section 41 of
the Act amended

- (a) by renumbering subsection (2) as subsection (3);

- (b) by substituting for the words “subsection (2)” occurring in line three of subsection (1), the words “subsection (3)”;

(c) by inserting immediately after subsection (1) the following new subsection:

“(2) Where a contract of tenancy is terminated by reason of effluxion of time or by any other cause under the Act, the tenant or subtenant may, not later than forty-five days after the termination of the contract of tenancy, make an application to the tribunal for an award of compensation and subject to subsection (3), the tribunal may award such compensation as it considers just in the circumstances.”.

Validation of
tribunals

6. Notwithstanding any law to the contrary, it is hereby declared that all tribunals purported to have been established under the Act together with the respective agricultural districts in which those tribunals exercised their powers and duties are deemed to have been established in accordance with the Act, and all things done or omitted to be done by any agricultural tribunal are deemed to have been lawfully and validly done or omitted to be done, and no legal proceedings or other action of any kind shall be entertained in respect of or in consequence of such acts and things.

Passed in the House of Representatives this 15th day of May, 1987.

J. E. CARTER
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 29 Members of the House.

J. E. CARTER
Clerk of the House

Passed in the Senate this 26th day of May, 1987.

M. CARRINGTON
Acting 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 20 Senators.

M. CARRINGTON
Acting Clerk of the Senate