
First Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 15 of 1977

[L.S.]

AN ACT to provide for the licensing of pool-rooms and for
matters connected therewith and incidental thereto

[Assented to 29th April, 1977]

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

1. This Act may be cited as the Licensing of Pool-Rooms Short title
Act, 1977.

2. In this Act—

Interpretation

“appropriate officer of police” means the police
officer in charge of the district in which a
pool-room is situated;

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“Authorised officer” means a public officer authorised by the Board under section 3 to exercise any functions under this Act;

“authority” means a magistrate presiding in the district in which a pool-room is situated;

“Board” means the Board of Inland Revenue established under section 3 of the Income Tax Ordinance;

“certificate” means a certificate issued by the authority in accordance with this Act authorising the grant of a licence and a permit;

“certificate of renewal” means a certificate issued by the authority in accordance with this Act authorising the renewal of a licence and a permit;

“permit” means a permit granted under this Act authorising the holder thereof to carry on the business of a pool-room operator;

“pool-room licence” or “licence” means a licence granted under this Act authorising the holder thereof to use any premises, in respect of which the licence is for the time being in force, for the purpose of carrying on the business of a pool-room operator;

“pool-room operator” means a person engaged in the business of hiring pool-tables for use in a pool-room, but does not include a person who is merely an importer or distributor of pool-tables and is not engaged in the business of operating a pool-room;

“pool-room” means any premises to which the public has access whether unconditionally or not for the purpose of playing pool;

“pool-table” means a table used for the purpose of playing pool.

Board may
authorise
officers to
perform functions

3. The Board may authorise any public officer in writing to perform any functions under this Act.

Restriction on
carrying on
business of pool-
room operator

4. Subject to this Act no person shall carry on the business of a pool-room operator unless he is the holder of a licence and a permit.

5. (1) A person who desires to obtain a licence or a permit may apply for a certificate in accordance with this Act. Application for certificate

(2) An application for a certificate may be made at any time and shall be made to the authority in the form set out as Form 1 in the Schedule. Form 1

6. (1) The authority shall in each year fix a day in each of the months of January and July as a day on which, subject to subsection (2) he will consider applications for certificates. Authority to fix day to consider applications

(2) In addition to any day fixed pursuant to subsection (1), the authority may on any day in the year consider such applications.

7. (1) An applicant shall not later than seven days before the day fixed for considering his application for a certificate, cause to be published in a local daily newspaper a notice of the making of the application. Notice of application to be published in a newspaper

(2) A notice under subsection (1) shall state *inter alia* that any person who desires to object to the issue of the certificate shall send to the authority before such day as is specified in the notice, not being a day later than ten days after the publication of the notice, two copies of a statement setting out the grounds of his objection.

(3) The applicant shall send—

- (a) to the authority, a copy of the newspaper not later than three days after the publication of the notice; and
- (b) to the Board and to the appropriate police officer a copy of the application not later than seven days before the day fixed for its consideration.

8. (1) The authority shall cause to be published in a local daily newspaper notice of the name of the applicant and the date on which and the time and place at which the application will be considered. Procedure prior to consideration of application

(2) The authority shall—

- (a) consider the application as soon as practicable after the receipt thereof but not later than fourteen days after the date specified in the notice required to be published under subsection (1); and

(b) not less than seven days before the day fixed for the consideration of the application, send notice in writing of the date on which and the time and place at which the application will be considered to the applicant, the appropriate officer of police, the Board and to any objectors if their addresses are known to him.

(3) A copy of any objection to the issue of a certificate shall also be sent to the applicant together with the notice referred to in paragraph (b) of subsection (2).

Authority to cause notice of application for renewal of certificate to be published in newspaper

9. (1) The authority shall in each year in which an application for certificates of renewal fall to be considered, in the months of December and June cause to be published in a local daily newspaper a notice of the day on which and the time and place he will consider such applications.

(2) A notice under subsection (1) shall state that—

(a) an application for a certificate of renewal must be received by the authority before a specified date, being a date not earlier than fourteen days after the publication of the notice; and

(b) that any person who desires to object to the issue of a certificate of renewal must send to the authority before the specified date two copies of the grounds of his objection.

Application for certificate of renewal

10. (1) An application for a certificate of renewal shall be made to the authority before the date specified in the notice required to be published by subsection (1) of section 9, shall be in the form set out as Form 2 in the Schedule and shall contain such particulars as the authority may require.

(2) The authority shall, not later than seven days before the day fixed in the months of December and June for considering applications for certificates of renewal—

(a) send to each objector unless his objection was withdrawn, a notice in writing stating whether or not there was an application for a certificate of renewal; and

(b) send to the applicant a copy of the objection.

(3) Where an application for a certificate of renewal has been duly made and the application has, through no

fault of the applicant, not been determined before the date of cessation of a licence and permit, the licence and permit shall continue in force until the determination of the application as if they had not expired.

11. An applicant who knowingly makes any false statement in any application required to be made under this Act or in a copy of any such application is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months.

Offence to make false statement in application

12. (1) When an application for the issue of a certificate or of a certificate of renewal is being considered, the applicant and any objector are entitled to be heard either in person or by counsel or solicitor and the authority may also hear such other evidence as he considers necessary.

Proceedings before authority

(2) The authority may, when considering an application referred to in subsection (1) take evidence on oath and may make such order as he thinks fit for the payment of costs; and any costs ordered to be paid shall be recovered summarily as a civil debt.

(3) The authority may from time to time adjourn the consideration of an application referred to in subsection (1).

13. (1) The authority may, after hearing the applicant and any objector or counsel or solicitor on their behalf and such other evidence as he considers necessary, issue to the applicant a certificate or a certificate of renewal as the case may be.

Authority may issue certificate

(2) A certificate issued by the authority shall be in the form set out as Form 3 in the Schedule.

Form 3

(3) A certificate of renewal shall be in the form set out as Form 4 in the Schedule.

Form 4

14. The authority shall refuse any application for a certificate or a certificate of renewal if—

Authority to refuse application for certificate

- (a) it appears to him that the applicant is under eighteen years of age; or
- (b) he is satisfied that the applicant is in arrears of payment of any tax which he is required to pay under any law in force in Trinidad and Tobago.

Authority may
refuse
application

15. The authority may refuse any application for a certificate or a certificate of renewal if—

- (a) he upholds any objection to the issue of a certificate or a certificate of renewal made in accordance with this Act;
- (b) he is not satisfied that the applicant is, or satisfactory evidence is produced that the applicant is not, a fit and proper person to be issued a certificate or a certificate of renewal;
- (c) he is satisfied that if the certificate or the certificate of renewal is issued, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused a certificate or a certificate of renewal under paragraph (b) or either because—
 - (i) that person has not attained the age of eighteen years; or
 - (ii) that person has been convicted of an offence under section 4 or section 22;
- (d) he is satisfied that having regard to the lay-out, character, condition or location of the premises, it is not suitable for use as a pool-room; or
- (e) he is satisfied that the issue of a certificate or a certificate of renewal would be inexpedient having regard to the demand for the time being in the locality for the facilities afforded by pool-rooms and to the number of pool-rooms for the time being available to meet that demand.

Board to grant
licence and permit

16. (1) The Board shall, where the authority issues a certificate or a certificate of renewal, grant to the person named in the certificate or in the certificate of renewal a licence and a permit, or renew a licence and a permit, as the case may be, on payment to the Board of the following fees—

- (a) one thousand dollars in respect of the grant or renewal of a licence;
- (b) two hundred and fifty dollars in respect of the grant or renewal of a permit.

(2) In addition to the fees payable under paragraphs (a) and (b) of subsection (1), the person named in the certificate or in the certificate of renewal shall pay to the Board an annual tax of two hundred dollars in respect of each pool-table kept in a pool-room.

(3) A pool-room operator who subsequent to the grant or renewal of a licence and a permit acquires additional pool-tables shall forthwith pay to the Board in respect of each additional pool-table the tax required to be paid under subsection (2).

(4) A licence and a permit granted under subsection (1) shall—

- (a) be in the forms set out as Forms 5 and 6 in Forms 5 and 6 the Schedule;
- (b) show the date with effect from which they are to be in force;
- (c) be subject to such conditions as the Board may consider necessary;
- (d) subject to sections 10(3), 17 and 24 and unless renewed or further renewed, cease to be in force at the end of the twelve-month period commencing on the date it first comes into force or on the date of its last renewal.

(5) A licence and a permit renewed under subsection (1) shall—

- (a) be in the forms set out as Forms 7 and 8 in Forms 7 and 8 the Schedule;
- (b) show the date with effect from which they are to be continued in force;
- (c) subject to sections 10(3), 17 and 24 and unless further renewed, cease to be in force at the end of the twelve-month period commencing on the date of their last renewal.

17. In the event of the death of the holder of a licence Personal and a permit or the holder of a renewed licence and a representative to renewed permit his legal personal representative shall be be holder of deemed to be the holder thereof. licence

18. (1) An authorised officer may at any time enter a Authorised officer pool-room for the purpose of ascertaining whether the may enter number of pool-tables in a pool-room corresponds with the pool-room number of pool-tables in respect of which the tax referred to in subsection (2) of section 16 has been paid.

(2) In the exercise of his function under subsection (1) an authorised officer may be accompanied by a police officer.

Authorised officer
may seal
pool-tables

19. (1) Where on entry pursuant to subsection (1) of section 18 the number of pool-tables found in a pool-room exceeds the number in respect of which tax has been paid the authorised officer and the police officer accompanying him, if any, shall seal in a manner authorised by the Board the pool-tables in excess of the number in respect of which tax has been paid.

(2) A pool-room operator who has in a pool-room any pool-table in excess of the number in respect of which tax has been paid is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

(3) A pool-table that is sealed pursuant to subsection (1) shall remain sealed until the court directs otherwise.

Offence to tamper
with or break
pool-table

20. A person who tampers with or breaks or destroys any pool-table that is sealed pursuant to subsection (1) of section 19, is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

Offence to obstruct
authorised officer
or police officer

21. A person who wilfully—

(a) prevents, obstructs or delays an authorised officer from or in entering or approaching a pool-room or from sealing a pool-table; or

(b) uses any means or contrivance in order to prevent, obstruct or delay the entry of an authorised officer or a police officer into a pool-room or the sealing of a pool-table,

is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

Offence to
encourage person
under eighteen
in pool-room

22. A pool-room operator who knowingly—

(a) encourages any person under the age of eighteen years in a pool-room; or

(b) permits gambling in a pool-room,

is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

23. A pool-room operator who fails to satisfy any condition subject to which his licence or permit was granted or renewed is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

Offence to fail to satisfy conditions

24. Where a pool-room operator is convicted of an offence under this Act the court before which he was convicted may cancel his licence and permit.

Licence and permit may be cancelled

25. An importer of pool-tables shall make available to the Board, in such a manner as may be authorised by the Board and at such times as the Board may specify, particulars relating to the number of pool-tables imported by him into the country, the names and addresses of persons to whom pool-tables were sold, the number sold to each and such other information as the Board may require.

Importer of pool-table to disclose particulars to the Board

26. An importer who fails to furnish to the Board any particulars required to be furnished under section 25 in the manner authorised and within the time specified by the Board or who knowingly furnishes false information to the Board, is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

Offence for importer to refuse to give information

27. (1) A licence and permit granted or renewed under this Act shall be displayed in a conspicuous place in the pool-room.

Licence and permit to be displayed in a conspicuous place

(2) A holder of a licence and a permit who fails—

(a) to display the licence and permit as required by subsection (1); or

(b) to produce the licence and permit for examination on being required so to do by an authorised officer or a police officer,

is guilty of an offence and liable on summary conviction to a fine of fifty dollars.

28. Any provision in this Act requiring any notice or other document to be given or sent to any person shall be deemed to be satisfied if the notice or other document is either served personally on that person or sent to him by post at his usual or last known residence or place of business in Trinidad and Tobago.

Service of documents

Rights of and procedure for appeal

29. (1) An applicant or an objector who is aggrieved by the decision of the authority to refuse to issue or to issue a certificate or a certificate of renewal as the case may be, may appeal to the Court of Appeal.

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(2) An appeal under subsection (1) shall be subject to the provisions of the Summary Courts Ordinance relating to appeals thereunder.

Exemption

30. (1) The Minister of Education and Culture may, as he thinks fit, exempt any association or non-proprietary club from the provisions of this Act.

(2) An application for exemption shall be made in writing to the Minister.

(3) The Minister shall notify the Board of any exemption granted under this section.

SCHEDULE

FORM 1

APPLICATION FOR A CERTIFICATE

To THE AUTHORITY:

I.....of.....

hereby apply for a certificate in respect of premises situate at

(State situation and description of premises. A plan showing the location and lay-out of the premises must be submitted.)

and declare as follows:—

That I was born on the.....of.....

That my usual place of residence is at.....

That during the five years immediately preceding the date of this application I have been resident as follows:—

(State addresses at which resident and dates of such residence)

Dated this.....day of 19.....

FORM 2

APPLICATION FOR A CERTIFICATE OF RENEWAL

To THE AUTHORITY:

I, of
(State name and address of applicant)

hereby apply for a certificate of renewal in respect of premises situate
at
(State location of premises)

I hereby declare as follows—

That I was issued a certificate or a certificate of renewal
on the day of
by
(State authority by which it was issued)

That there has been no change in the location and layout of the premises
since the issue to me or the last renewal of the said certificate other than
.....
.....
(State details of any change)
.....
(Plan showing change must also be submitted)

Dated this day of, 19.....

Signature of Applicant

FORM 3

CERTIFICATE

REPUBLIC OF TRINIDAD AND TOBAGO

WHEREAS an application for a certificate was made to me on the day
of 19....., by
of

And whereas the conditions specified in the Licensing of Pool-Rooms Act, 1977
have been satisfied:

I, in exercise of the power conferred
upon me by section 13(1) of the Licensing of Pool-Rooms Act, 1977 hereby issue
this certificate to the said in respect of premises
situate at

Dated this day of, 19.....

.....
Authority

FORM 4

CERTIFICATE OF RENEWAL

REPUBLIC OF TRINIDAD AND TOBAGO

WHEREAS a Certificate was issued to.....
of.....on the.....day of.....
in respect of premises situate at.....
(State location of premises)

And whereas I am satisfied that no change has taken place in the lay-out of the premises or that such change does not materially effect the layout of the premises since the issue of the Certificate referred to above:

And whereas the conditions specified in the Licensing of Pool-Rooms Act, 1977 have been satisfied:

I.....in the exercise of the power conferred on me by section 13(1) of the Licensing of Pool-Rooms Act, 1977 hereby issue this Certificate of renewal to the said.....in respect of premises situate at.....

Dated this.....day of.....,19.....

Authority

FORM 5

LICENCE

REPUBLIC OF TRINIDAD AND TOBAGO

In exercise of the power conferred on it by section 16(1) of the Licensing of Pool-Rooms Act, 1977 the Board of Inland Revenue hereby grants this licence to

.....
of.....in respect of premises situate at.....This licence shall be in force from the.....day of..... and shall, subject to sections 10(3), 17 and 24 of the Licensing of Pool-Rooms Act, 1977 and unless renewed or further renewed cease to be in force at the end of the.....day of.....

.....This licence is granted subject to the following conditions
.....
(State conditions, if any)

Dated this.....day of....., 19.....

Chairman, Board of Inland Revenue

FORM 6

PERMIT

REPUBLIC OF TRINIDAD AND TOBAGO

In exercise of the power conferred on it by section 16(1) of the Licensing of Pool-Rooms Act, 1977 the Board of Inland Revenue hereby grants this permit to

of.....

This permit shall be in force from the.....day of..... and shall, subject to sections 10(3), 17 and 24 of the Licensing of Pool-Rooms Act, 1977 and unless renewed or further renewed cease to be in force at the end of the

day of.....

This permit shall be subject to the following conditions—

(State conditions, if any)

Dated this.....day of....., 19.....

Chairman, Board of Inland Revenue

FORM 7

LICENCE (RENEWAL)

WHEREAS on the.....day of.....a licence was granted to.....in respect of premises situate at.....

And whereas the Licence shall, subject to sections 10(2), 17 and 24 of the Licensing of Pool-Rooms Act, 1977 cease to be in force on the day of.....

The Board of Inland Revenue in exercise of the power conferred on it by section 16(1) of the Licensing of Pool-Rooms Act, 1977 hereby renews the said licence for a further period of.....

The licence is renewed subject to the same conditions, if any.

Dated this.....day of....., 19.....

Chairman, Board of Inland Revenue

FORM 8

PERMIT (RENEWAL)

WHEREAS on the.....day of.....a permit was granted to..... of.....

And whereas the permit shall, subject to sections 10(3), 17 and 24 of the Licensing of Pool-Rooms Act, 1977 cease to be in force on the..... day of.....

The Board of Inland Revenue in exercise of the power conferred on it by section 16(1) of the Licensing of Pool-Rooms Act, 1977 hereby renews the said permit for a further period of..... commencing on the.....day of.....

The permit is renewed subject to the same conditions, if any.

Dated this day of, 19 .. .

..... Chairman, Board of Inland Revenue

Passed in the House of Representatives this 15th day of April, 1977.

J. E. CARTER Clerk of the House

Passed in the Senate this 19th day of April, 1977.

R. GRIFFITH Clerk of the Senate